council on environmental quality

# 102 monitor

environmental impact statements

Vol. 5 No. 2
March, 1975

## TOXIC SUBSTANCES LEGISLATION PROPOSED

Chairman Peterson, in a testimony before the Senate Commerce Committee's Subcommittee on Environment, described the toxic substances legislation as perhaps the most important environmental legislation now before Congress. (page 3)

## CEQ's MEMORANDUM TO THE FEDERAL TRADE COMMISSION

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TESTIMONY OF RUSSELL W. PETERSON
CHAIRMAN, COUNCIL ON ENVIRONMENTAL QUALITY
BEFORE THE SENATE COMMERCE COMMITTEE
SUBCOMMITTEE ON ENVIRONMENT
March 10, 1975

Mr. Chairman, Senators, it gives me great pleasure to appear here today to speak in support of toxic substances legislation. Toxic substances legislation is, in my view, perhaps the most important environmental legislation now before the Congress.

As I know you are aware, in 1971, the Council on Environmental Quality issued a report on toxic substances. The report pointed out that about two million chemical compounds are known, and that thousands of new chemicals are created each year. Several hundred of them do go into commercial production each year. Although most of these substances are not toxic, their sheer number, the increasing diversity of their use, and the environmental problems already encountered in connection with some, warn us that we are dealing with a major problem.

The report further concluded that the environmental impact of most substances is not well understood. Of those compounds studied, testing has largely been confined to

acute effects -- those which show up quickly, and are easy to perceive. But our knowledge of chronic, long-term effects is inadequate. We know that cancer, genetic alterations and various sorts of mental, physical, and physiological changes can be chemically induced. In general, however, we find it difficult to pinpoint the chemicals which cause such effects.

On the basis of its study, the Council on Environmental Quality concluded that there was an urgent need for a program to screen toxic substances before they went into commercial use. The report conceded that our understanding of environmental threats, our skill at testing substances for adverse effects, and our ability to monitor and predict these effects, were not fully adequate; nevertheless, it concluded, our knowledge in these areas was sufficiently developed to justify immediate action. No longer did we have to maintain a purely reactive posture with respect to toxic substances -- to limit ourselves to attempting to repair the damage after it had been done. Nor should we, the report stated, "continue to allow the entire population or the entire environment to be used as a laboratory."

The Council recommended new legal authority in February 1971. On the basis of the Council's recommendations, the Administration submitted to the Congress a proposed Toxic Substances Control Act.

Senators, it is now March 1975 -- four years since the initial submission of that proposed legislation. Each year since 1971, the CEQ Annual Report has cited new instances of health crises caused by chemicals -- such as PCB's, mercury, haloethers, and vinyl chloride. And each year since 1971 versions of the Toxic Substances Control Act have been debated in Congress -- but none of them has been voted into law.

I said a moment ago that, in connection with the commercial production, distribution, and use of chemical compounds, we are dealing with a major problem. More accurately, we are <u>failing</u> to deal with it. This important legislation was badly needed four years ago; we need it even more today. I urge you, therefore, to pass toxic substances control legislation as quickly as possible.

I would rather not comment today in detail on S. 776. The Council, however, will submit for the record a report containing our detailed comments. My staff and I will then, of course, be available for any additional questions you or the Committee staff may have. However, the only major point of disagreement we have with S. 776 is the requirement for simultaneous submissions of documents to Congress and the Office of Management and Budget. We feel this is unwarranted interference in the decisionmaking process of the Executive Branch.

Toxic substances legislation should meet three major needs. First, it should provide for the reporting to the government of chemical production, intended use, and any privately sponsored health and safety information relevant to the various Federal agencies that deal with controlling toxic substances. Second, it should permit the government to require testing of chemicals, both new and prospective, so as to assess their potential for human and environmental risk. Third, it should give the Administrator of the Environmental Protection Agency the authority to deal with chemical substances not adequately covered.

Reporting provisions are important for informed decision-making on the part of the government. In order to make balanced, well-reasoned decisions on potential toxic substances, the government should have access to information relevant to such decisions.

Inorganic arsenic, a by-product of smelting, for example, is processed by only one plant in the United States. This plant ships the processed arsenic to companies in more than 40 major industries for subsequent use. The government should

be empowered to find out, among other things, where these processors are located, for what purpose the inorganic arsenic is used, and in what quantities.

We now know, thanks to the voluntary disclosures in 1974 by Allied Chemical and Dow Chemical, that workers who were exposed to inorganic arsenic contracted lung and lymph cancers at dramatically higher rates than workers who were not exposed ... from three times as high to sixty times as high. We also know -- now that we've started digging back in the files -- that reports suggesting a link between arsenic and cancer have existed since the turn of the century.

Present Federal standards for arsenic exposure in industrial sites have been based on a single study, performed in 1963 by an employee of the one and only arsenic processor in this country. In essence, that study compared cancer rates between two groups of workers in the plant: one group regularly exposed to arsenic, and another group that supposedly was not. The study found no significant difference in cancer rates between the two groups -- and concluded, therefore, that regular exposure to arsenic did not result in any excessive incidence of cancer.

In 1969, however, Drs. Frederick Lee and Joseph Fraumeni of the National Cancer Institute pointed out an astonishing gap in this study: the investigators had not compared the plant workers with people who worked outside the plant -- that is, with those who definitely were not exposed, day in and day out, to inorganic arsenic. In their own study, Drs. Lee and Fraumeni found that lung cancer rates for smelter workers -- whether supposedly "exposed" to arsenic or not -- were three times higher than rates for the general population.

As a result of this and subsequent studies, the government has proposed a dramatic reduction in Federal exposure standards for inorganic arsenic. On the basis of the original study, standards had been set at 500 micrograms per cubic meter of air. In 1973, the National Institute for Occupational Safety and Health -- research arm for the Occupational Safety and Health Administration -- recommended that the exposure level be cut to 50 micrograms ... one-tenth of the old standard. And now -- largely as a result of the Dow and Allied studies -- OSHA has proposed a new standard of four micrograms.

All the returns are not in on arsenic studies. But one thing is certain: the history of arsenic exposure standards supports the argument that Federal regulatory agencies cannot be restricted to filtered information.

With respect to testing, last fall, this Committee held hearings on the subject of vinyl chloride. As you became aware, vinyl chloride, a gaseous compound produced in quantities of approximately 6 billion pounds per year in the United States, is carcinogenic. This attribute was discovered only after 26 PVC workers had died of a rare form of liver cancer. We now know that these 26 cancers developed in a relatively small group of workers exposed over 15 years ago to vinyl chloride, and, that this group has sustained significantly increased rates of other forms of cancer as well. Whether or not the problem may have spread from the PVC plant to other stages of the plastics and vinyl chloride manufacturing process or to the communities surrounding PVC plants, can only be determined by further investigations. For the more recent PVC workers in the now greatly expanded PVC industry, only time will tell whether they will be spared of cancer. Unfortunately, many cases can be expected amongst these individuals over the next two decades.

Is this an acceptable way of detecting toxic substance problems? I think not. Health and safety testing of chemicals is the key. Vinyl chloride is a good example of a compound for which reasonable health and safety tests under the Toxic Substances Control Act would have discovered carcinogenic potency. Under those circumstances, vinyl chloride would never have been used as a propellant gas in aerosol products. Had it been manufactured at all as an industrial intermediate, it most certainly would have been produced under much tighter controls.

The need for more comprehensive and flexible regulatory powers over industrial chemicals could not be better demonstrated than by a problem of current concern, the relationship between fluorocarbons and a possible depletion of the ozone layer in the stratosphere.

Currently, the Council on Environmental Quality and the Federal Council on Science and Technology are jointly heading a Federal Interagency Task Force on the Inadvertent Modification of the Stratosphere. The first task of IMOS is to investigate the freon-ozone issue. A report on the subject should be forthcoming in approximately three months time.

As you are aware, the concern expressed about these fluorocarbons, or freons, as they are more commonly called, is that they may reside unchanged in the lower atmosphere indefinitely, only to be eventually transported upward to the stratosphere. In the stratosphere, it is believed that these compounds may be dissociated by the sun to form chlorine atoms which can react with ozone and thereby significantly increase the amount of ultraviolet radiation reaching the earth. Any significant increase in U. V. radiation is postulated in turn to have dramatic effects on the human skin cancer rate as well as major ecological consequences.

One aspect of the work of IMOS is a survey of potentially applicable Federal authorities to deal with this issue. With respect to regulatory powers, this survey is not yet concluded. However, it is clear that none of the potential authorities even if applicable was designed with this type of toxic substance problem in mind. Furthermore, even if current authorities are found to apply, none offers the flexibility that is provided by the Toxic Substances Control Act. We cannot risk finding ourselves unable to act. Should we conclude that the continued use of freons will cause a catastrophe, the consequences are just too severe.

In conclusion, without such authority, the Federal Government is ill equipped to address toxic substances problems. I have briefly outlined three major features for any toxic substance control act and three toxic substances problems in the last year. These problems are just three of many. The Federal Government can no longer afford to be in a reactive posture with respect to problems such as these. And, the Federal Government must act now to provide the necessary authorities to appropriately address the problems when they are discovered.

Thus, I urge passage of a toxic substances control act which encompasses these three important thrusts. Such a bill would permit the Federal Government to undertake the long overdue task of addressing toxic substance problems throughout the human environment.

January 31, 1975

COUNCIL ON ENVIRONMENTAL QUALITY

ADVISORY MEMORANDUM

Application of the National Environmental Policy Act to Enforcement of the Anti-Trust Laws by the Federal Trade Commission

The Federal Trade Commission has requested the Council on Environmental Quality's views on the application of the National Environmental Policy Act (NEPA),[1/] to certain of its enforcement activities under the Clayton Act[2/] and the Federal Trade Commission Act.[3/] This issue is now pending before the U.S. Court of Appeals for the District of Columbia in Gifford-Hill & Company, Inc. v. Federal Trade Commission, et al., No. 74-2024.

THE COUNCIL ON ENVIRONMENTAL QUALITY

The Council on Environmental Quality was established pursuant to Title II of NEPA, and charged with, inter alia, reviewing the activities of federal agencies in light of the environmental policies of the Act. The Council's opinion

1/ 42 U.S.C. §§ 4321, et seq.

2/ 15 U.S.C. §§ 12 et seq.

3/ 15 U.S.C. §§ 41 et seq.

is provided in accordance with that mandate. See, in particular, 42 U.S.C. §§ 4341(4) and 4344(3).

The opinion is also provided pursuant to the Environmental Quality Improvement Act of 1970,[4/] and Executive Order 11514.[5/] Section 203(d) of the Environmental Quality Improvement Act, 42 U.S.C. § 4372(d), directs the Council, inter alia, to appraise agency programs which affect the quality of the environment. Section 3(a) of Executive Order 11514 directs the Council to evaluate, in particular, policies and activities of the Federal government which are aimed at the accomplishment of non-environmental objectives but which affect environmental quality. Section 3(h) of Executive Order 11514 also directs the Council to issue guidelines to Federal agencies for the preparation of environmental impact statements.

These enabling authorities have most recently been discussed in Warm Springs Dam Task Force v. Gribble, 417 U.S. 1301, 41 L. Ed 2d 654, motion to vacate denied, ___U.S.___,

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4/ 42 U.S.C. §§ 4371, et seq.

5/ Executive Order 11514, Mar. 5, 1970, 35 F.R. 4247, 42 U.S.C. § 4321 (1970).

41 L. Ed 2d 1156 (1974). According to that opinion, the Council on Environmental Quality is the organization "most intimately familiar with environmental issues and the requirements of the National Environmental Policy Act" 417 U.S. at 1304, and "ultimately responsible for administration of the NEPA and most familiar with its requirements for Environmental Impact Statements." 417 U.S. at 1310. See, also, EDF v. TVA, 468 F.2d 1164 (6th Cir. 1974) and Jicarilla Apache Tribe v. Morton, 471 F.2d 1275 (9th Cir. 1973).

While this opinion is based, in the first instance, on the Council's review of the relevant statutes, their legislative history, and the judicial opinions construing them, the Council has supplemented its review of the law with the background and experience accumulated by it over the last five years in coordinating the Federal government's overall implementation of NEPA.

Since the passage of NEPA, the Council has received approximately 6,000 draft and 4,000 final statements and

reviewed a significant number of them, issued four sets of successively more detailed guidelines on the operation of the impact statement process,[6/] and assisted almost 60 Federal agencies in the development of their NEPA procedures. All environmental impact statements are filed with the Council, and the Council publishes a weekly listing and a monthly report on the impact statements which have been received. The Council engages, either using its own staff or through consultants, in research on the operation of the impact statement process; and pursuant to NEPA, the Council annually reports to the President and the Congress on the state of the nation's environment. Two of the last three of these Annual Reports have dealt in detail with the implementation of the environmental impact statement process.[7/] This opinion reflects in part the experience accumulated by the Council as a result of this activity.

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6/ The most recent set of guidelines issued by the Council appears at 40 C.F.R. Part 1500 (1974).

7/ See, CEQ, Environmental Quality: Third Annual Report (1972) and Fifth Annual Report (1974).

## FACTUAL BACKGROUND

Gifford-Hill is a corporation principally engaged in the production and sale of construction materials, including portland cement, ready-mixed concrete, construction aggregates,[8] and concrete products. In 1967, 1970, and 1972, it acquired a series of companies in the cement industry. In May 1974, the FTC notified Gifford-Hill that, in its view, these acquisitions violated the anti-trust laws and the FTC's guidelines on vertical mergers in the cement industry (its "Cement Guidelines").[9] Subsequently, in August 1974, the FTC issued a formal complaint against Gifford-Hill seeking, inter alia, divestiture of Becker Sand and Gravel Company and a ten-year bar on acquisitions by Gifford-Hill, without prior FTC approval, of firms manufacturing and/or selling construction aggregates.[10]

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8/ Construction aggregates are sand, gravel, and crushed stone. They constitute the ingredients, along with cement, of cement products, such as ready-mixed concrete.

9/ The full text of the FTC's "Enforcement Policy With Respect to Vertical Mergers in the Cement Industry" (its "Cement Guidelines") appears in Appendix A.

10/ See, Administrative Complaint, In the Matter of Gifford-Hill & Co., Inc., Docket No. 8989, before the Federal Trade Commission.

Shortly after the issuance of the complaint, Gifford-Hill filed suit in the U.S. District Court for the District of Columbia seeking a declaratory judgment, injunctive relief, and mandamus against the FTC on the ground that the FTC had not complied with the requirements of the National Environmental Policy Act. Gifford-Hill challenged, in particular, the FTC's regulation at 16 C.F.R. § 1.82(d)[11/] essentially exempting the FTC's initiation of adjudicatory proceedings from the environmental impact statement process, and the FTC's determination that no impact statement is required in connection with its continuing implementation of its Cement Guidelines.

On November 13, 1974, in a memorandum opinion by Judge Gasch, the District Court denied Gifford-Hill's motion for a preliminary injunction. Gifford-Hill promptly thereafter noticed its appeal before the U.S. Court of Appeals, where the case is now pending.

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11/ The full text of the FTC's "Procedures for Implementation of the National Environmental Policy Act" appears in Appendix B.

## QUESTIONS

1. Whether, in CEQ's view, the environmental impact statement process should apply to adjudicatory proceedings commenced by the FTC to enforce the Clayton Act and the Federal Trade Commission Act.
2. Whether, in CEQ's view, an environmental impact statement should be required in connection with the FTC's continuing implementation of its Cement Guidelines.

## DISCUSSION

The National Environmental Policy Act authorizes and directs that, to the fullest extent possible, the policies, regulations, and public laws of the United States be interpreted and administered in accordance with the environmental policies of the Act. 42 U.S.C. § 4332(1) This mandate applies to all activities of Federal agencies. NEPA also establishes, for a much more limited class of Federal actions, a formal environmental analysis requirement.

Section 102(2)(C) of the Act requires agencies to develop a detailed forecast of the environmental effects of a proposal -- an environmental impact statement -- whenever that proposal constitutes a major Federal action significantly affecting the environment. 42 U.S.C. § 4432(2).

The process surrounding the preparation of environmental impact statements usually involves four major stages. First, a Federal agency must decide whether a particular proposed action requires the preparation of an impact statement. If no impact statement is required, the Federal agency can proceed directly with its proposal, although if the decision not to prepare a statement is questionable, the agency must document the basis for its determination before going further. This documentation is frequently termed a "negative declaration."[12/] Second, if a statement is required, the agency must prepare a draft statement. This requires forecasting in detail the environmental effects of both the

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12/ See, Hanly v. Kleindienst, 471 F.2d 823 (2d Cir. 1972), cert. denied 412 U.S. 908 (1973).

proposed action and reasonable alternatives to the action. Third, the Federal agency must circulate its draft statement for comment and prepare a final statement. Circulation of the draft means sending the draft to all groups directly interested in the proposed action -- other Federal agencies, State and local agencies, CEQ, private industry, and the public. The Federal agency must allow these groups a reasonable time to comment on the draft. This is usually considered to be at least 45 days. The agency must then prepare the final statement by revising the draft to reflect the agency's response to all the major comments received. Finally, in the fourth stage, the agency may proceed with its normal review process to reach a decision on the proposed action in light of the analysis set forth in the final impact statement, and other factors relevant to the agency's decision-making.

The major issue presented here is whether the FTC's adjudicatory proceedings to enforce the anti-trust prohibitions of the Clayton Act and the Federal Trade Commission Act are

subject to this formal impact statement process. The FTC's procedures implementing NEPA essentially exempt such decisions from § 102(2)(C). According to § 1.82(d) of its procedures:

> "Nothing in this procedure shall be construed as stating or implying that the requirements of section 102(2)(C) of the National Environmental Policy Act apply to: Any investigation made by the Commission for law enforcement purposes; any process or order issued by the Commission in connection with any type of investigation; any agreement of voluntary compliance or consent decree entered into by the Commission, or any adjudicatory proceedings commenced by the Commission."

Gifford-Hill has argued that no valid basis exists for this exemption.

NEPA itself contains no express exemptions from its impact statement requirements for categories of agency activity. However, the legislative history surrounding the enactment of NEPA, while sparse, suggests that Congress visualized requiring the environmental impact statement process primarily (although not exclusively) in connection with proposals which relate either to discrete projects or

major agency programs. According to the Senate Report which accompanied S. 1075, the Senate bill that first raised the requirement for an environmental analysis and the bill that ultimately led to § 102(2)(C) of NEPA:

> "Each agency which proposes any major actions, such as project proposals for new legislation, regulations, policy statements, or expansion or revision of on-going programs, shall make a determination as to whether the proposal would have a significant effect on the quality of the human environment."13/

Congress did not dwell much further on the scope of its requirement for an environmental analysis. Apart from this statement, the legislative history is barren of additional discussion of the issue, except in the Conference Report,14/ where the Conferees briefly explained their addition of the words "to the fullest extent possible" to the requirement that certain actions be accompanied by impact statements. According to the Conferees, the inclusion of the modifying phrase was not meant to provide a loophole, but rather was

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13/ S. Rep. No. 91-296, 91st Cong., 1st Sess. (1969).

14/ H.R. Rep. No. 91-465, 91st Cong., 1st Sess. (1969).

meant to reflect that an agency must comply with the requirements of section 102(2) unless existing law "expressly prohibits or makes full compliance with one of the directives impossible."

This recognition of possible situations where the impact statement process is not appropriate has led to attempts by a number of agencies to have all or parts of their programs exempted. Almost all of these attempts have been struck down when subjected to judicial review. See, e.g., Harlem Valley Transportation Ass'n v. Stafford, 500 F.2d 328 (2nd Cir. 1974), and Calvert Cliffs' Coordinating Committee, Inc. v. AEC, 449 F.2d 1109 (D.C. Cir. 1971). However, courts have stated, on a few occasions, that some federal actions are not within the intended scope of § 102(2)(C) of NEPA.

The first such recognition arose in Cohen v. Price Commission, 337 F. Supp. 1236 (S.D. N.Y. 1972). There, the court concluded, in denying a motion for a preliminary injunction, that there was substantial doubt as to whether Congress intended the impact statement process to apply to decisions by the Price Commission under the Economic

Stabilization Act. The court noted that Congress expected the Commission to act with promptness and dispatch, and that this appeared to be incompatible with the more deliberative decision-making by the environmental impact statement process.

> "It is doubtful, to say the least, that Congress intended [the Price Commission], which perforce, if it is to function effectively must act expeditiously, be required before authorizing an increase in the price of a loaf of bread, a bottle of milk, a can of beer, a gallon of gasoline or a ton of steel, not only to make a determination of the environmental impact of its proposed action, but also to consult with and to obtain the views of other federal agencies with respect thereto and, pending receipt of such views, withhold determination for at least ninety days, with the consequent delay. Such procedural restrictions would seemingly be at odds with Congress' announced purpose that the successful implementation of the Stabilization Act required 'prompt judgements and actions by the executive branch . . .' and its recognition that "[t]he President is in a position to implement promptly and effectively the [Stabilization] program . . .' and may well render impossible the achievement of that program." [footnotes omitted] 337 F. Supp. at 1241

In Portland Cement Ass'n v. Ruckelshaus, 486 F.2d 375 (D.C. Cir. 1973), the court looked at whether EPA's promulgation of new source performance standards under § 111 of the Clean Air Act was subject to the impact statement process. The court noted that "[t]here is no express exemption in the language of the Act or Committee Reports" 486 F.2d at 381, and that in looking at the policies underlying NEPA, "we encounter competing considerations" 486 F.2d at 383. The court concluded, however, that "a narrow exemption from NEPA" 486 F.2d at 387 was warranted. The court looked at the rule-making process under which EPA is required to propose a standard and thereafter solicit comments on it from outside groups, the requirement that EPA accompany a proposed standard with a statement of reasons fuller than the minimum rule-making requirement of the Administrative Procedure Act, and the availability of the courts to scrutinize the results reached by EPA. According to the court:

> "Although [this] rule-making process may not import the complete advantages of the structured determinations of NEPA into the decision-making of EPA, it does, in our view strike a workable balance between some of the advantages and disadvantages of full application of NEPA." 486 F.2d at 386

In accord with this decision, a number of other EPA actions have similarly been excluded from the impact statement process. See, for example, Environmental Defense Fund, Inc. v. EPA, 489 F.2d 1247 (D.C. Cir. 1972); Anaconda Co. v. Ruckelshaus, 482 F.2d 1301 (10th Cir. 1973); International Harvester Co. v. Ruckelshaus, 478 F.2d 615 (D.C. Cir. 1973); Getty Oil v. Ruckelshaus, 467 F.2d 349 (3rd Cir. 1972), cert. denied, 409 U.S. 1127 (1973).

The third of the three agencies for which a limited exclusion has so far been recognized is the Federal Energy Office (FEO). In Gulf Oil Corporation v. Simon, 373 F. Supp. 1102 (D.C. D.C. 1974), the court adopted the reasoning in Cohen v. Price Commission, supra, and concluded that no impact statement was required in connection with FEO's promulgation

of mandatory oil allocation regulations under the Emergency Petroleum Allocation Act of 1973. The court looked at the requirement that FEO promulgate regulations within 15 days after the emergency legislation's enactment, and concluded that:

> "In light of the Congressional demand that immediate measures be adopted the Court feels that the inherent tension between NEPA and the Allocation Act, at least as it involves the specific regulations here in issue, must be resolved on balance with a finding that the FEO was not required to draft an environmental impact statement." 337 F. Supp. at 1105

These cases set forth the basic framework which the courts have so far developed in reviewing proposed exclusions from the full requirements of § 102(2)(C). Under these cases, a reviewing court should look at the procedural requirements underlying both § 102(2)(C) of NEPA and the specific agency activity at issue. The court should also look at the basic policies underlying § 102(2)(C) and the legislation authorizing the particular agency action in question. An exclusion should not be allowed unless a fundamental conflict exists and "a workable balance between some of the advantages and disadvantages of

full application of NEPA" has been struck. Portland Cement Ass'n v. Ruckelshaus, 486 F.2d at 386 (D.C. Cir. 1973).

Applying this perspective to adjudicatory proceedings commenced by the FTC to enforce Section 7 of the Clayton Act and Section 5 of the Federal Trade Commission Act, we are of the view that such actions are not ones for which impact statements should be required.15/

We are advised that enforcement of the Clayton Act and the Federal Trade Commission Act typically involves a series of

15/ We are, accordingly, in agreement with the conclusion of the U.S. District Court for the District of Columbia on whether an impact statement is required in connection with the instant case. According to the District Court "the FTC decision to initiate antitrust enforcement proceedings against GFH is not within the range of situations to which NEPA was intended to apply" Gifford-Hill & Company, Inc. v. Federal Trade Commission, et al., Civil Action 74-1265 (D. D.C.), Memorandum Opinion dated November 13, 1974, at page 17. Apart from the District Court's opinion, only one other court has so far had occasion to speak on the issue of whether impact statements should be required in connection with enforcement proceedings. In Getty Oil Company v. Ruckelshaus, 467 F.2d 349 (3rd Cir. 1972), the Court of Appeals for the Third Circuit stated, as dictum, in connection with Getty Oil's attack on EPA's issuance of a compliance order under the Clean Air Act, that "[t]o require an impact statement at the enforcement stage would do substantial harm to the congressional purpose of obtaining expeditious compliance with primary and secondary air standards."

steps. It begins with a decision by FTC staff on whether a specific factual situation warrants investigation. If the staff concludes that it does, an investigation is carried out; and the results are weighed in light of both the applicable law and other policy considerations relevant to deciding whether to prosecute. These considerations presumably include the resources necessary to mount an action, the type of remedy which might be secured, the precedential value of the case, and others. If a decision is made to prosecute, a draft complaint is prepared, which is then presented to the Commission for its approval. After approval, negotiations begin on a possible consent order. If the negotiations are unsuccessful, a formal complaint is filed, which in turn initiates a formal adjudicatory proceeding before an administrative law judge. After the conclusion of the adjudicatory proceeding, the administrative law judge renders his decision, which becomes final unless modified by the Commission. Thereafter, an appeal with the courts may be filed.

Gifford-Hill has argued that an impact statement should be prepared in connection with this series of steps, and in particular prior to a decision by the FTC on whether to commence an adjudicatory proceeding. This necessitates, however, the acceptance of either, or both, of two possible rationales. First, an impact statement should be required to determine whether a statutory prohibition should be condoned, or allowed to continue, because of the potential environmental harm from remedying the violation. Or second, an impact statement should be required because alternative solutions exist to remedy the alleged violation, and the choice among these alternative solutions should depend, at least in part, on a detailed study of their environmental implications.

We find it difficult to accept the first rationale as a basis for requiring an impact statement. While prosecutorial discretion may depend on a large number of factors, it is unreasonable in our view to subject the exercise of it to a formal and lengthy environmental analysis process. We think it particularly inappropriate

when that process must be carried out, as would be required by NEPA, in consultation with numerous federal, state, and local agencies,[16] and subject to full public review.[17]

Such an approach, at the outset, would substantially delay enforcement of the anti-trust laws, and consume scarce and limited resources. These elements are not dispositive, since to some extent the initial application of § 102(2)(C) of NEPA to an agency's program frequently produces some delay and requires some reallocation of manpower. However, these disadvantages can become particularly important in certain law enforcement situations, where the government must be able to negotiate and to act quickly.

Application of the environmental impact statement process to the exercise of prosecutorial discretion would also create a heavy imbalance in the elements developed for deciding

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16/ Section 102(2)(C) of NEPA requires that the views of federal, state, and local agencies be solicited and accompany the proposed action through the sponsoring agency's review processes.

17/ Section 102(2)(C) of NEPA requires that all impact statements be made available to the public pursuant to 5 U.S.C. § 552.

whether to go forward. The FTC would have before it a complex of factors, only one of which had gone through a lengthy public review process. While § 102(2)(C) of NEPA was intended to correct an imbalance in agency decision-making resulting from inadequate consideration of the environment, application of § 102(2)(C) to decisions on whether to enforce the anti-trust laws appears to us to perpetuate this imbalance, albeit in the opposite direction. We find it difficult to imagine a proposed divestiture case under the Clayton Act or the Federal Trade Commission Act where the likely environmental consequences would be so significant to justify subjecting the decision on whether to prosecute to the requirements of the impact statement process.

Application of the impact statement process to the exercise of prosecutorial discretion would also, in our view, frequently invite largely unproductive litigation. In many, if not most, cases, the proposed defendant would find it in his best interest to litigate whether an impact statement should be prepared, and if one was prepared, the

adequacy of the agency's environmental analysis. While the application of § 102(2)(C) of NEPA to an agency's program always raises the possibility of litigation by an adversely affected party, such application to decisions on whether to prosecute alleged violations of the anti-trust laws would create an incentive to sue by the party accused of violating the law. Moreover, this incentive to sue would lie with the party able to structure, at least in a divestiture case, the environmental consequences that might result from the divestiture.

Thus, application of the impact statement process to the exercise of prosecutorial discretion would create, in our view, substantial impediments to enforcing the anti-trust laws; and would appear to go a long way towards nullifying that discretion.[18/] We find it difficult to reach the conclusion that such a result was intended without more explicit direction from Congress.

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18/ We also question what the role of the courts might be, should NEPA be construed as applying to this type of agency action. The law is well established that the exercise of prosecutorial discretion rests solely with the Executive, and is not subject to judicial review. See, for example, Newman v. United States, 382 F.2d 479 (D.C. Cir. 1967); United States v. Cox, 342 F.2d 167 (5th Cir. 1965), cert. denied, 85 S. Ct. 1767 (1965).

The second possible rationale for applying the impact statement process to the FTC's adjudicatory proceedings is that alternatives may exist to remedy an alleged violation of the anti-trust laws, and the choice among these alternatives should depend, at least in part, on a formal study of their environmental implications. In our view, this argument is "more simplistic than simple" Portland Cement Ass'n v. Ruckelshaus, 486 F.2d 375 (D.C. Cir. 1973), cert. denied 42 U.S.L.W. 3653 (1974), and in light of the disadvantages that would ensue, we find it insufficient basis for requiring the application of § 102(2)(C). The delays and consumption of resources noted above would also apply here; and an incentive for unproductive litigation would similarly be created.

Moreover, and perhaps of greater significance, many of the objectives underlying the impact statement process will frequently be achieved in a law enforcement adjudicatory proceeding, even without a formal requirement for an impact statement. After a violation of the anti-trust laws has been demonstrated, the focus in an adjudicatory proceeding

shifts to whether specific remedial action, in addition tc an order prohibiting the unlawful act, is appropriate. If such additional remedial action is appropriate, it will typically involve, in cases under Section 7 of the Clayton Act and Section 5 of the Federal Trade Commission Act, ordering the divestiture of one or more companies. While questions may be raised about the appropriateness of alternative divestiture orders, in most cases these questions will not go to their environmental consequences, since in most cases these consequences will not be significant.

In those few cases where the environmental consequences might be significant, an incentive to prepare an environmental analysis and present it in the proceeding will also usually be created. To the extent the parties disagree about a proposed remedy, and its environmental consequences may be significant, the parties are likely to find it in their best interests to prepare a detailed environmental analysis. Essentially the same situation exists here as exists whenever the parties to a case disagree over a major issue. They submit their

evidence, and bring in outside groups to present their expert views, in order to illuminate the issue and, hopefully, persuade the administrative law judge.[19/]

Accordingly, even without a formal requirement for an impact statement, many of the benefits that might result from such a requirement are likely to be available. Moreover, these benefits would be available, for the rare case where they might be appropriate, without at the same time subjecting every proposal for remedial action to a formal threshold determination on whether to do an impact statement, and the consequent problems that would be created, as discussed earlier. While the adversarial nature of the FTC's enforcement proceedings may not completely substitute for the inquiry that would otherwise occur under § 102(2)(C), it does, in our view, yield a "workable balance between some of the advantages and disadvantages of full application of NEPA." Portland Cement

19/ The FTC might even decide that voluntary preparation of an impact statement would be a desirable course of action to follow.

Ass'n v. Ruckelshaus, 486 F.2d 375 (D.C. Cir. 1973), cert. denied, 42 U.S.L.W. 3653 (1974).

Our opinion as to the validity of Section 1.82(d) of the FTC's regulations is strongly reinforced when we look at the application of the exemption to the instant case. Here, Gifford-Hill has based virtually its entire argument on the abstract question of whether the FTC's adjudicatory proceedings are subject to the impact statement process. One must search the large number of pleadings which Gifford-Hill has filed to find any reference to significant environmental effects which might result from FTC action in the case at hand.

The strongest statement we can find appears in Gifford-Hill's brief before the Court of Appeals seeking review of the District Court's decision. There, Gifford-Hill argues that "the Commission's proposed action with respect to the Becker acquisition could have a significant effect on the environment by proliferating the strip-mining operations that are conducted to extract sand and gravel from the earth."20/

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20/ Brief for Appellant at 7.

Gifford-Hill seems to avoid assiduously any statement that it will establish a new strip mining operation if it is required to divest itself of Becker, or even show that that course of action would be a likely one for it to follow as a result of a divestiture order. Moreover, no indication is given of where a hypothetical new facility might be established, even though Gifford-Hill fully controls such a decision, at least in the first instance. To require an impact statement, or even a formal record inquiring into the need for an impact statement, based on such a tenuous allegation, would appear to reflect a serious misallocation of the Commission's efforts.

In summary, we are of the view that § 102(2)(C) of NEPA should not apply to adjudicatory proceedings of the FTC to enforce Section 7 of the Clayton Act or Section 5 of the Federal Trade Commission Act. We reach this conclusion, even though the remedy that might be requested by the FTC could at least hypothetically lead, through a chain of events, to significant environmental consequences. Accordingly,

we find no merit in the argument that a "generic" negative declaration should have been prepared by the FTC prior to its promulgation of § 1.82(d) of its regulations.

While we are also of the opinion that no impact statement is required in connection with the Commission's implementation of its enforcement policies for the cement industry, our reasoning is necessarily different. Section 1500.5(a)(3) of the CEQ Guidelines states that actions that may be subject to § 102(2)(C) of NEPA include "the making, modification, or establishment of regulations, rules, procedures, and policy." Section 1.82(a) of the FTC's procedures states that "[n]o Commission rule or guide which constitutes a major action significantly affecting the environment shall be promulgated unless an environmental statement has been prepared for consideration in the decision-making." Potentially, then, the Commission's enforcement policies for the cement industry are subject to the need for an impact statement. This is so, even though the policies were issued in 1967 -- well prior to the passage of NEPA. The grace period for applying NEPA to the administration of an agency program initiated prior to 1970 has clearly lapsed.

While the Cement Guidelines are thus potentially subject to § 102(2)(C), a close inspection of them indicates that specific environmental impacts cannot be attributed to their continued implementation. The Guidelines establish a policy of opposing the acquisition of key aggregate suppliers in certain cases. Clearly, this will not substantially affect the location or the volume of aggregates production, although it may tend to increase the number of aggregate suppliers. An increased number of aggregare suppliers could result in an increased number of sand and gravel strip mines. However, one cannot determine in advance where those additional mines might be. Thus, one cannot attribute specific environmental consequences to the continued implementation of the Cement Guidelines.

The pleadings submitted by Gifford-Hill make an attempt to circumvent this problem by analogizing the continuing implementation of the Guidelines to the AEC's Liquid Metal Fast Breeder Reactor program. According to the brief of Gifford-Hill:

> "It is immaterial that the Commission cannot now predict with certainty that further implementation of the Cement Guidelines or a particular proposed adjudicatory proceeding will, in fact, cause increased aggregates mining or the amount of increase. An agency cannot 'avoid drafting an impact statement simply because describing the environmental effects of and alternatives to particular agency action involves some degree of forecasting . . . It must be remembered that the basic thrust of an agency's responsibilities under NEPA is to predict the environmental effects of the proposed action before the action is taken and those effects fully known. Reasonable forecasting and speculation are thus implicit in NEPA. . . .'" Scientists' Institute for Public Information, Inc. v. AEC, 481 F.2d 1079, 1092 (D.C. Cir. 1973).[21]

This analogy is invalid, in our view, for at least two reasons. First, the potential environmental impact of the LMFBR program is so great as to raise questions about whether the program should proceed at all. The program creates the possibility of catastrophic environmental consequences. This situation creates a much greater burden on an agency to deal with remote possibilities than in the instant case.

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21/ Appellant's memorandum in support of its motion before the District Court for a preliminary injunction, footnote at page 22.

Here, the potential environmental effects are not great, and are clearly not dispositive of whether the FTC should generally proceed against vertical acquisitions in the cement industry. Accordingly, the need for environmental forecasting in the two cases is clearly very different.

Secondly, the environmental effects of concern in the LMFBR case are not exclusively site-specific. They include such general questions as methods for collection and storage or disposal of long-term highly radioactive wastes. A forecasting of the environmental impacts of the LMFBR program does not therefore require a determination of the specific location of each new future reactor site. In contrast, the environmental effects of a new sand and gravel mine are almost wholly site-specific. Accordingly, the utility in attempting an environmental forecasting in the two cases is also clearly very different.

In conclusion, the Council does not find merit in the arguments put forth urging that § 1.82(d) of the FTC's

regulations be declared inconsistent with the provisions of NEPA, or that an impact statement be required in connection with the FTC's continuing implementation of its Cement Guidelines. In the Council's view, the FTC's actions in the instant case are consistent with the requirements of the National Environmental Policy Act.

Appendix A

# Enforcement Policies of the FTC With Respect to Vertical Mergers in the Cement Industry



## [¶ 4515] FTC Policy Statements

The following antimerger enforcement policies with respect to mergers in particular industries have been announced by the FTC.

In its policy announcements, the Commission has established standards for given industries by which it will measure the need for immediate attention and consideration. In the food distribution industries, for example, any merger which results in combined annual food store sales in excess of $500 million annually raises "sufficient questions regarding . . . legal status to warrant attention and consideration by the Commission," while in the cement industry, issuance of a complaint would be merited if a portland cement company acquired any ready-mixed concrete company regularly purchasing 50,000 barrels of cement or more annually. Grocery product (product extension) mergers will be looked into on the basis of the size of the resulting company, the acquirer's advertising practices and expenditures, and both firms' market positions.

Some of these special FTC policies require that advance notice be given by firms proposing mergers or acquisitions. In the cement industry, all portland companies planning to acquire any ready-mixed companies must give notice; in the food distribution industry, notice is not required unless annual sales after the merger would exceed $100 million. Neither product extension mergers involving grocery product manufacturers nor textile mill industry mergers require advance notice by virtue of the policy statement covering them. Of course, the general corporate merger reporting requirement (¶ 4545) should be considered.

## [¶ 4520] Cement Industry—Vertical Mergers

*Commission Enforcement Policy with Respect to Vertical Mergers in the Cement Industry*

Vertical mergers and acquisitions are today the most significant, critical and important problem faced by the cement and ready-mixed concrete industries. Beginning in the late nineteen-fifties a trend of acquisitions of leading ready-mixed concrete producers by cement manufacturers began which now threatens to transform the structures of both industries. This vertical merger movement is of vital importance to the public, and to each of the industries involved. Cement and concrete are basic building materials essential to the nation's economy.

The Commission early became concerned with vertical mergers in the cement industry in the course of carrying out its statutory duties in the enforcement of the antitrust laws. Complaints were issued at the outset initiating a series of adjudicative cases. The trend of acquisitions, however, continued. By the end of 1965 no fewer than 40 ready-mixed concrete companies had been acquired by leading cement companies, while several large ready-mixed companies had entered into the manufacture of cement. Many cement companies had indicated that while they were opposed to this development, they might be forced in the future to acquire major customers to protect their outlets from further foreclosure. Various segments of the industry requested the Commission to clarify, as soon as possible, the legal status of such mergers. The Commission, therefore, determined to consider the problem on an industry-wide basis to determine whether its current approach to vertical mergers in these industries was correct and effective, or whether it should be supplemented. An industry-wide investigation was commenced, and on April 26, 1966, a Staff Economic Report on "Mergers and Vertical Integration in the Cement Industry" was published. Thereafter, Public Hearings on the problem were held in July 1966, and oral presentations and written statements from the industry were received.

The Federal Trade Commission has concluded that vertical mergers and acquisitions involving cement manufacturers and consumers of cement, particularly ready-mixed concrete companies, can have substantial adverse effects on competition in the particular market areas where they occur. This conclusion of the Commission

is based upon prior cases involving such mergers and acquisitions, its own experience in merger policy enforcement, the industry-wide investigation of the problem which culminated in the published report of the staff on "Mergers and Vertical Integration in the Cement Industry," and upon the "Public Hearings" of the Commission held in July 1966.

Based on the information now available to the Commission it appears that the recent trend of vertical acquisitions has involved, almost invariably, leading high volume ready-mixed concrete producers located in major urban areas. Because urban areas contain concentrations of people and industry, they account for the most intense day-to-day construction activity and consequent cement demand, and thus constitute the choice high-volume centers for cement sales. Cement companies therefore concentrate their sales effort upon the urban areas. In recent years, for example, the great majority of over 230 newly constructed cement distribution terminals have been located so as to serve particular metropolitan centers. Distinguishable competitive features usually characterize different urban areas. Different prices generally prevail from one to another, and each is marked by unique supply and demand characteristics. In summary, metropolitan centers are focal points of cement demand and are regarded by cement companies as key marketing areas. It is within these centers that the effects on competition resulting from vertical acquisitions tend to be most keenly felt.

Such urban markets, within which vertical mergers and acquisitions take place, are often highly concentrated on both the supply and demand sides. Cement is a heavy, bulky product economically impractical to ship very far except by water. For this reason, almost all cement is sold and used comparatively near the site of production. Cement production is decentralized and is based upon a network of geographically scattered plants which ship directly, or through terminals, to consumers in adjacent markets. Most urban markets therefore are served by comparatively few producers. Out of the fifty largest metropolitan markets in the United States, 19 had five or fewer cement companies soliciting sales, and an additional 19 had only five to ten suppliers. Illustrative are: Seattle—3; Miami—6; Tampa—6; San Francisco—4; Portland (Oreg.)—4; Denver—2; Detroit—9; Jacksonville—7. A survey conducted of 22 "top" cement markets and 11 "secondary" markets by one of the industry participants in the public hearings showed 25 had only three to eight suppliers. Notwithstanding the possibility of some technical improvements in bulk rail transportation of cement, it nevertheless appears that today the geographic area practicable for any given cement producing plant to service is a limited one. From the information known to us to date, it seems improbable that any fundamental change in the relative concentration of available cement suppliers servicing particular metropolitan markets, as well as larger regions, will occur in the foreseeable future.

Similarly, although there are well over 4,000 ready-mixed concrete producers in the United States, the major needs of most urban areas are supplied by a few sizeable ready-mix firms. Concrete is a highly perishable commodity of great bulk and weight and, even more crucially than in the case of cement, high transportation costs in comparison with the selling price limit the area serviceable from a particular plant. Concrete is normally not transported more than five to ten miles from the production site to the construction job of the purchaser. Any given metropolitan area would therefore appear to be a definitive market for concrete production and sale, and it is not likely that there are any outside suppliers actually or potentially available. In most urban centers, the ready-mixed concrete industry is quite concentrated. For example, the four largest ready-mixed concrete companies doing business in San Francisco, Boston, Cleveland, Milwaukee, New York, Buffalo, Philadelphia, Baltimore, Pittsburgh, Kansas City, Memphis, Phoenix, Norfolk, Portland (Ore.), Seattle, Jacksonville, and Richmond made approximately 50 percent or more of the concrete sales in those cities.

The ready-mixed concrete industry is relatively new, having its origins subsequent to World War I and its period of rapid development after World War II. Nevertheless it has already greatly surpassed the cement industry in the total dollar value of shipments. In 1964, the value of all cement produced was $1,190,000,000 whereas the total value of sales of ready-mixed concrete was larger by almost $800,000,000 amounting to $1,987,000,000 Out of a total 1964 cement production in the United States of 368,633,000 barrels, ready-mixed concrete companies purchased about 60 percent. The importance of the ready-mixed concrete firms as cement consumers is even greater in metropolitan centers where there is reason to believe that they account for 70 percent or more of cement purchases.



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In any given metropolitan market ready-mixed concrete producers are therefore dominant cement consumers and constitute the crucial link in cement distribution and use. When one or more major ready-mixed concrete firms are tied through ownership to particular cement suppliers, the resulting foreclosure not only may be significant in the short run, but may impose heavy long-run burdens on the disadvantaged cement suppliers who continue selling in markets affected by integration. Acquisitions of leading cement consumers in markets containing comparatively few volume buyers may have the effect of substantially disrupting the competitive situation at the cement level, and, in fact, may set off a "chain" reaction of acquisitions.

Unintegrated ready-mixed concrete producers furthermore may be at a disadvantage in competing with rivals who are integrated cement and concrete manufacturers. This is true not only because of disparities in size and access to capital, and the advantages inherent in product and market diversification, but also because of the potential "price squeeze" latent in competition with integrated companies.

The more extensive vertical integration becomes in the cement and concrete industries, the higher tends to be the level of entry barriers in individual metropolitan markets and in larger geographic regions. This can result from a number of causes. Higher capital requirements are necessitated by entry into the production of cement and ready-mixed concrete on an integrated basis. The capital requirements for entry on an integrated basis appear to be double the cost of entry into the production of cement only. But the need for far more capital is not the only problem. Industry executives at the public hearings were unanimous in stating the difficulty of penetrating the ready-mixed concrete industry on a significant scale in markets containing long established ready-mixed concrete producers. New entrants in ready-mixed concrete in integrated markets, of course, may face the additional deterring effect of competition with very large, diversified and integrated rivals.

*Criteria Used to Identify Mergers Which Warrant Immediate Action*

The Commission's characterization of particular organizational developments in the cement and ready-mixed concrete industries and their probable competitive consequences represent the Commission's current knowledge of these matters as revealed by its own experience in various litigated cases, as well as an industry-wide investigation accomplished through survey, staff analysis and public hearings. In view of its extensive activity in the application of Section 7 to forestall anticompetitive mergers, together with its understanding of prospective developments in cement manufacture and distribution, this Commission wishes to make abundantly clear insofar as possible, its future enforcement policy with regard to vertical mergers in the cement and ready-mixed concrete industries. In so doing it is expected that needless litigation may be forestalled. At the same time however it should be noted that the issues in any proceeding instituted by the Commission will be decided on the merits of that case.

I. The Commission has determined as a matter of general enforcement policy to use all the legal weapons at its disposal to proceed against and order the divestiture of those vertical acquisitions which it believes may unlawfully lessen competition in any market. Specifically, the Commission intends to investigate expeditiously every future acquisition by a cement producer of any substantial ready-mixed concrete firm in any market to which such acquiring producer is an actual or potential supplier. Whenever such an investigation reveals the market circumstances described below, the Commission shall issue a complaint challenging the acquisition under Section 7 of the Clayton Act, unless unusual circumstances in a particular case dictate the contrary.

II. In general, the acquisition of any ready-mixed concrete firm ranking among the leading four nonintegrated ready-mixed producers in any metropolitan market, or the acquisition of any ready-mixed concrete company, or other cement consumer, which regularly purchases 50,000 barrels of cement or more annually, will be considered to constitute a substantial acquisition.

III. The determination of the Commission to challenge the acquisition by a cement supplier selling in a market of any of the top four ready-mixed concrete firms therein, or of any cement consumer in such market who regularly buys 50,000 or more barrels annually, does not mean that the acquisition of smaller firms will necessarily be considered lawful or go unchallenged by the Commission. The acquisition of several smaller ready-mixed concrete producers whose cumulative purchases of cement annually approximate those of a ready-mixed concrete company of the foregoing specified size or the acquisition of a cement user which gives to a cement producer that is

already integrated forward into the relevant market a substantial position of the foregoing specified size may have at least as severe anticompetitive effects as the acquisition of a single larger firm.

IV. The Commission's intention to challenge all substantial vertical acquisitions does not exempt markets where integration has already occurred. A partially integrated market can still be attractive to a new cement producer who is looking for multiple markets to serve from a large efficient plant, or to attract a manufacturer on the edge of a market who wishes to expand his geographic area of sales. Likewise markets which have witnessed significant vertical integration may still offer inducement to new ready-mixed concrete competitors to enter. The Commission therefore intends to act to preserve the open portions of partially integrated markets to the fullest extent possible.

V. In promulgating a statement of general enforcement policy with respect to integration through mergers and acquisitions, the Commission recognizes that there are other means by which it is possible, to some extent at least, for cement suppliers to exert pressure on consumers of cement. In some cement markets, the acquisition of key aggregates producers can constitute a way by which ready-mixed concrete companies, and other cement consumers, can be influenced in making their cement purchases and competition can be substantially lessened thereby. The anticompetitive effects usually associated with the acquisition of ready-mixed concrete producers can be brought about in such areas indirectly by the acquisition of aggregates concerns. The Commission therefore will oppose the acquisition of key aggregates suppliers in a market wherever there is reason to believe that such acquisitions may confer upon the acquiring cement company any significant ability to exert anticompetitive "leverage" on cement consumers affecting their freedom to choose cement suppliers.

VI. To carry out this program expeditiously and uniformly, the Commission must know of prospective acquisitions and mergers in advance of their consummation. Accordingly, all portland cement companies will be required to notify the Commission at least 60 days prior to the consummation of any merger or acquisition involving any ready-mixed concrete producer. The Commission will notify all portland cement companies each year, so long as this enforcement policy is in effect, and will require each to file special reports with the Commission under the authority provided by Section 6 of the Federal Trade Commission Act.

This action by the Commission should not be interpreted to mean that cement firms must request Commission approval prior to the consummation of any merger or acquisition. However, the Commission shall continue to provide advisory opinions, as provided by its Rules of Practice, regarding the legality of particular mergers, and invites those contemplating mergers to avail themselves of this program in any situation where they are uncertain as to the legality of a prospective merger.

Chairman Dixon and Commissioner MacIntyre, while approving the enforcement criteria set forth in this statement, did not concur in the action of the Commission in providing for the requirement that special reports be filed with the Commission 60 days in advance of any merger under the authority of Section 6 of the Federal Trade Commission Act. (Released January 17, 1967.)

# Appendix B

# FTC Procedures for Implementation of the National Environmental Policy Act 16 C.F.R. §§ 1.81-1.85

## Subpart I—Procedures for Implementation of the National Environmental Policy Act of 1969

AUTHORITY: The provisions of this Subpart I issued under sec. 102(2)(C), 83 Stat. 853; 42 U.S.C. 4332; E.O. 11514; CEQ Guidelines.

SOURCE: The provisions of this Subpart I appear at 36 F.R. 22814, Dec. 1, 1971, unless otherwise noted.

### § 1.81 Authority.

(a) Section 102(2)(C) of the National Environmental Policy Act of 1969, Public Law 91-190, which is implemented by Executive Order 11514, and Guidelines issued by the Council on Environmental Quality (36 F.R. 7724, April 23, 1971) (hereinafter referred to as "CEQ Guidelines") require all Federal agencies including the Federal Trade Commission to include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment a detailed statement by the responsible official on:

(1) The environmental impact of the proposed action;

(2) Any adverse environmental effects which cannot be avoided should the proposal be implemented;

(3) Alternatives to the proposed action;

(4) The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity; and

(5) Any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

(b) The above-cited authority further prescribes that, prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any Federal or State agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State, and local agencies shall be made available to appropriate officials and the public, and shall accompany the proposal through the existing agency processes.

### § 1.82 Declaration of policy.

(a) No Commission rule or guide which constitutes a major action significantly affecting the environment shall be promulgated unless an environmental

statement has been prepared for consideration in the decisionmaking.

(b) No Commission legislative proposal or Commission legislative report on a legislative proposal in an area in which the Commission has statutory responsibility concerning matters which significantly affect the environment will be submitted without an accompanying environment impact statement.

(c) A statement will not accompany such action where the Commission finds that expeditious action is in the public interest. In such instance, the Commission will consult with the CEQ as provided in section 10(d) of the CEQ Guidelines and shall develop a statement promptly after the action.

(d) Nothing in this procedure shall be construed as stating or implying that the requirements of section 102(2)(C) of the National Environmental Policy Act apply to: Any investigation made by the Commission for law enforcement purposes; any process or order issued by the Commission in connection with any type of investigation; any agreement of voluntary compliance or consent decree entered into by the Commission; or any adjudicatory proceedings commenced by the Commission.

**§ 1.83 Implementing procedures.**

(a) *Rules and guides.* (1) The Directors of the Bureaus of Consumer Protection and Competition shall establish procedures for their bureaus to assure that all proposed rules and guides being developed within their respective areas of responsibility are reviewed to assess the need for statements on the impact on the environment, and that, where a need is found, a statement is developed.

(2) All proposed rules and guides shall be reviewed at the earliest opportunity by the appropriate heads of the initiating staff units to determine whether the rule or guide might relate to, or involve, environmental considerations. Staff recommendations to the Commission proposing the initiation of a proceeding to determine whether a rule or guide should be promulgated shall include an assessment of the anticipated environmental impact, if any. The criteria prescribed in subsections 5 (b) and (c) of the CEQ Guidelines shall be used in determining if any action will have a significant effect on the environment.

(3) The Commission shall make the final determination whether the proposed Commission proceeding may be a major action significantly affecting the quality of human environment. Upon the determination by the Commission that a proposed rule or guide may have a significant effect on the quality of human environment, the staff will prepare a draft statement which shall become part of the public record as provided hereinafter.

(4) Concurrent with publication in the FEDERAL REGISTER of a proposed rule or guide wherein the potential for a significant effect on the environment has been identified, draft statements will accompany the proposed rule or guide in the FEDERAL REGISTER and will be circulated by the Commission to appropriate officials and agencies, within and outside the Federal Government, with jurisdiction by law or special expertise with respect to any environmental impact involved. Whenever appropriate, the clearinghouse mechanism No. A-95 (July 24, 1969) shall be utilized.

(5) Thirty days will be allowed for comment on draft statements of environmental impact. If no statements are filed within this period, it will be presumed that, unless an agency consulted requests an extension of time, the agencies consulted have no comment. To the extent possible, 30 days will be allowed for comment after the text of the final statement on proposed action affecting the environment has been made available. In no event will a final rule or guide be promulgated prior to 90 days after circulation of the draft statement. When emergency circumstances make such periods impossible, the Commission will consult with the Council as provided in section 10(d) of the CEQ Guidelines.

(6) Draft statements of environmental impact and final statements on proposed action affecting the environment, along with comments received on draft statements, will be made available to the President by transmission to the Council on Environmental Quality, as provided in section 10(b) of the CEQ Guidelines.

(7) The draft statements, comments, and views obtained with respect to them, and final environmental impact statements will be made available to the public in accordance with the Commission's procedures and rules of practice at the Office of the Assistant Secretary for Legal and Public Records, Federal Trade Commission, Washington, D.C. 20580. They will also be made available through the

National Technical Information Service of the Department of Commerce, Springfield, Va. 22151. Public comment received before the closing of the record in a proceeding to promulgate a rule or guide will become part of that record.

(b) *Legislation.* (1) The General Counsel shall establish procedures to assure that legislative proposals and legislative reports on matters for which the Commission has statutory responsibility are reviewed to assess the need for statements on the impact on the environment and that, where a need is found, a statement is developed. Such statements shall be finally approved by the Commission.

(2) The proposed section 102(2)(C) statements and the required comments shall accompany legislative proposals and reports when these are sent to the Office of Management and Budget for clearance. At the same time, copies of this material shall be furnished directly to the Council on Environmental Quality for its information.

(3) After differences with other agencies over the legislative proposal or report have been resolved, the Commission will put the section 102(2)(C) statement in final form (including such comments and views of the appropriate Federal, State, and local agencies as are pertinent). The final statement and comments shall accompany the proposal or report to the Congress as supporting material. Copies of this final material shall be furnished directly to the Council on Environmental Quality.

**§ 1.84 Review.**

(a) The General Counsel has been assigned the responsibility for coordinating the Commission's efforts to improve environmental quality and is hereby desgnated the official responsible for the Commission's statements as specified in subsection 3(a)(3) of the CEQ Guidelines. He shall provide guidance and assistance to operating units in determining when a statement is needed and in preparing the necessary environmental statements. As part of this overall responsibility, he is charged with reviewing environmental statements prepared by the staff to assure that such statements comply with the CEQ Guidelines. In the event he finds that a statement is not adequate, he shall recommend to the Commission that the action not be taken until the proper adjustment is made.

(b) The Commission shall review the staff proposal and the recommendation of the General Counsel to finally determine whether the action complies with the National Environmental Policy Act of 1969.

**§ 1.85 Effect on prior actions.**

With respect to those proceedings already in progress, the Commission recognizes that it will not be possible to comply fully with the procedures here outlined and, in particular, that it will not be possible in every instance to include within the record all of the material relating to the environmental impact of the contemplated action which might otherwise be developed. Nonetheless, it is the policy of the Commission to apply these procedures to the fullest extent possible to proceedings to which these guidelines apply which are already in progress.

CEQ STUDIES

Environmental Quality - The First Annual Report of the Council on Environmental Quality. 1970. [PREX14.1:970, $3.00]

Ocean Dumping - A National Policy. 1970. [PREX14.2:Oc2, $1.15]

The President's 1971 Environmental Program. 1971. [PREX14.2:En8, $3.70]

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Note: The information given in square brackets indicates that the item is available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402; that given in parentheses indicates availability from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151. Because it is not feasible for the Superintendent of Documents to correct the prices manually in all publications stocked, the prices charged on your order may differ from the prices printed in the publications.

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Monitoring the Environment of the Nation. The Mitre Corporation. 1971. (PB-205 989, $7.25; microfiche, $2.25)

Monitoring the Environment of the Nation - Appendices. The Mitre Corporation. 1971. (PB-205 990,.$17.25; microfiche, $2.25)

The Quiet Revolution in Land Use Control. Fred Bosselman and David Callies. 1971. [PREX 14.2:L22, $3.05]

The Quiet Revolution in Land Use Control - Summary Report. Fred Bosselman and David Callies. 1971. [PREX 14.2:L22/Summ., $1.00]

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The Economic Impacts of Meeting [Automobile] Exhaust Emission Standards, 1971-1980. Chase Econometric Associates, Inc.
Part I. Executive Summary. (PB-207 200, $3.25; $2.25)
Part II. Baseline Forecasts of Economic Performance. (PB-207 201, $3.75; $2.25)
Part III. The Economic Impact of Pollution Abatement. (PB-207 202, $3.75; $2.25)
Part IV. Appendix. Presentation of Baseline and Alternative Impact Forecasts of Macroeconomic and Industry Performance. (PB-207 203, $5.75; $2.25)

Analysis of Economic Impacts of Environmental Standards on the Bakery Industry. Ernst & Ernst.
Part I. Executive Summary. (PB-207 169, $3.25; $2.25)
Part II. [A descriptive analysis of the bakery products industry detailing industry trends and characteristics relevant to ecomomic impact analysis of environmental standards]. (PB-207 170, $3.25; $2.25)
Part III. [A study of the impact of pollution standards and charges on the bakery industry]. (PB-207 171, $3.75; $2.25)

The Cement Industry: Economic Impact of Pollution Control Costs. The Boston Consulting Group, Inc.
Volume I. Executive Summary. (PB-207 150, $3.25; $2.25)
Volume II. [Industry description, pollution problems, market structure, financial resources, demand, foreign trade, and employment impact]. (PB-207 151, $7.00; $2.25)

Possible Impact of Costs of Selected Pollution Control Equipment on the Electric Utility Industry and Certain Power Intensive Consumer Industries. National Economic Research Associates, Inc.
Volume I. Executive Summary. (PB-207 168, $3.25; $2.25)
Volume II. [Introduction, structure of the electric utility industry, and the economic impact of pollution abatement upon the industry and upon selected power intensive consumer industries]. (PB-207 167, $5.25; $2.25)

Economic Impact of Environmental Controls on the Fruits and Vegetable Canning and Freezing Industries. Agri Division, Dunlap and Associates, Inc.
Part I. Executive Summary. (PB-207 140, $3.25; $2.25)
Part II. Industry Structure. (PB-207 141, $5.75; $2.25)
Part III. Impact Analysis. (PB-207 142, $6.25; $2.25)
Part IV. Statistical Supplement. (PB-207 143, $5.75; $2.25)

Study of the Economic Impacts of Pollution Control on the Iron Foundry Industry. A.T. Kearney & Company, Inc.
Part I. Executive Summary. (PB-207 147, $3.25; $2.25)
Part II. The Structure of the Industry. (PB-207 148, $5.25; $2.25)
Part III. The Ecomomic Impact of Pollution Abatement upon the Industry. (PB-207 149, $4.25; $2.25)

The Leather Industry: A Study of the Impact of Pollution Control Costs. Urban Systems Research & Engineering, Inc.
Volume I. Executive Summary. (PB-207 152, $3.75; $2.25)
Volume II. Description of the Industry. (PB-207 153, $6.25; $2.25)
Volume III. Impact of Pollution Control Costs on the Tanning Industry. (PB-207 154, $3.75; $2.25)

The Effects of Pollution Control on the Nonferrous Metals Industries. Charles River Associates Incorporated.

Aluminum: Part I. Introduction and Executive Summary. (PB-207 164, $3.75; $2.25)
Part II. Structure of the Industry. (PB-207 165, $5.25; $2.25)
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Zinc: Part I. Introduction and Executive Summary. (PB-207 158, $3.75; $2.25)
Part II. Structure of the Industry. (PB-207 159, $4.75; $2.25)
Part III. The Economic Impact of Pollution Abatement on the Industry. (PB-207 160, $3.75; $2.25)

Economic Impact of Anticipated Paper Industry Pollution-Abatement Costs. Arthur D. Little, Inc.
Part I. Executive Summary. (PB-207 144, $3.25; $2.25)
Part II. Industry Structure. (PB-207 145, $4.25; $2.25)
Part III. Economic Analysis. (PB-207 146, $4.25; $2.25)

The Impact of Costs Associated with New Environmental Standards upon the Petroleum Refining Industry. Stephen Sobotka & Company.
Part I. Executive Summary. (PB-207 197, $3.25; $2.25)
Part II. Structure of the Industry. (PB-207 198, $4.25; $2.25)
Part III. The Impact of Environmental Control Costs. (PB-207 199, $4.25; $2.25)

A Study of the Economic Impact on the Steel Industry of the Costs of Meeting Federal Air and Water Pollution Abatement Requirements. Booz-Allen Public Administration Services, Inc.
Volume I. Executive Summary. (PB-211 917, $3.25; $2.25)
Volume II. The Structure of the Steel Industry. (PB-211 918, $5.25; $2.25)
Volume III. Economic Analysis. (PB-211 919, $5.75; $2.25)
Volumes I, II, III. (PB-211 920, $12.00)

The Chase Econometrics Macroeconomic and Inter-Industry Forecasting Models. Chase Econometric Associates, Inc. (PB-207 204, $5.25; $2.25)

Land Use Indicators of Environmental Quality - An Examination of Existing Federal Data and Future Needs. Earth Satellite Corporation. 1972. (PB-211 399, $6.25; microfiche, $2.25)

Environmental Indicators for Pesticides. Stanford Research Institute. 1972. (PB-210 666, $5.75; microfiche, $2.25)

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Development of a Continuing Program to Provide Indicators and Indices of Wildlife and the Natural Environment. Smithsonian Institution, Ecology Program. 1972. (PB-210 734, $6.25; microfiche, $2.25)

National Assessment of Trends in Water Quality. Enviro Control, Inc. 1972. (PB-210 669, $4.25; microfiche, $2.25)

Possible Effects of Construction and Operation of a Supertanker Terminal on the Marine Environment in the New York Bight. State University of New York. (PB-219 649, $7.25; microfiche, $2.25)

Environmental Aspects of a Supertanker Port on the Texas Gulf Coast. Texas A&M University. (PB-220 051, $11.50; microfiche, $2.25)

Resource Recovery: The State of Technology. Midwest Research Institute. 1973. [PREX14.2:R31, $1.35](PB-214 149, $4.25; microfiche, $2.25)

Resource Recovery: Catalogue of Processes. Midwest Research Institute. 1973. (PB-214 148, $5.75; microfiche, $2.25)

Preliminary Assessments of the Environmental Impact of a Superport on the Southeastern Coastal Area of Louisiana. Louisiana Superport Studies. Louisiana State University. 1973. (COM-73-10544, $10.00; microfiche, $2.25)

A Preliminary Assessment of the Environmental Vulnerability of Machias Bay, Maine to Oil Supertankers. Massachusetts Institute of Technology. 1973. (COM-73-10564, $6.25; microfiche, $2.25)

Quantitative Energy Studies and Models. Decision Sciences Corporation. 1973.
A State of the Art Review, Appendix I. (PB-220 131, $4.75; microfiche, $2.25)
Appendices II, III. (PB-220 132, $5.25; microfiche, $2.25)

Environmental Vulnerability of the Delaware Bay Area to Supertanker Accommodation. University of Delaware. 1973.
Volume I. Summary. (PB-219 801, $4.75; microfiche, $2.25)
Volume II. Biology. (PB-219 802, $10.00; $2.25)
Volume III. Chemistry, Engineering, Geology and Physical Oceanography. (PB-219 803, $9.50; $2.25)
Volume IV. Biology Appendix. (PB-219 804, $10.50; $2.25)
Volumes I, II, III, IV. (PB-219 800-SET, $31.00)

Report on Channel Modifications. Arthur D. Little, Inc. 1973.
Volume I. [PREX14.2:C36/v.1, $4.45]
Volume II. [PREX14.2:C36/v.2, $8.15]

Criteria for National Land Use Planning Indicators. Development Sciences Inc. 1973. (PB-220 650, $3.75; microfiche, $2.25)

Land Use Change and Environmental Quality in Urban Areas: Some Comparative Studies. Earth Satellite Corporation. 1973. (PB-220 742, $9.25; microfiche, $2.25)

The Taking Issue - An Analysis of the Constitutional Limits of Land Use Control. Fred Bosselman, David Callies, and John Banta. 1973. [PREX14.2:T13, $2.70]

Potential Onshore Effects of Deepwater Oil Terminal-Related Industrial Development. Arthur D. Little, Inc. 1973.
Volume I. Part One. Executive Summary. (PB-224 018, $3.25; microfiche, $2.25)
Volume II. Part Two. Mid-Atlantic Region. Part Three. Maine. (PB-224 019, $8.50; $2.25)
Volume III. Part Four. Gulf Coast Region. (PB-224 020, $8.50; $2.25)
Volume IV. Appendices. (PB-224 021, $8.50; $2.25)
Volumes I, II, III, IV. (PB-224 017-SET, $25.00)

Who Bears the Cost of Pollution Control?: The Impact on the Distribution of Income of Financing Federally Required Pollution Control. Public Interest Economics Center. 1973. (PB-226 447, $5.75; microfiche, $2.25)

A Study of the Quarterly Demand for Gasoline and Impacts of Alternative Gasoline Taxes, Interim Report. Data Resources, Inc. 1973. (PB-226 122, $8.50; microfiche, $2.25)

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Total Urban Water Pollution Loads: The Impact of Storm Water. Enviro Control, Inc. 1974. (PB-231 730, $7.00; microfiche, $2.25)

Development of Cross-Media Evaluation Methodology. Battelle Columbus Laboratories. 1974. (PB-232 414, $7.25; microfiche, $2.25)

Evaluation of Municipal Sewage Treatment Alternatives. Pacific Northwest Laboratories, Battelle Memorial Institute. Prepared for the Council on Environmental Quality and the Environmental Protection Agency. 1974. (PB-233 489, $11.25; microfiche, $2.25). Also published by Environmental Protection Agency as Municipal Sewage Treatment: A Comparison of Alternatives.

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The Effect of Tax and Regulatory Alternatives on Car Sales and Gasoline Consumption. Chase Econometric Associates, Inc. 1974. (PB-234 622 $4.50; microfiche, $2.25)

A Study of the Implementation of the National Environmental Policy Act by the United States Navy. Presearch Incorporated. 1974. (PB-233 133, $9.50; microfiche, $2.25)

Recreational Properties: An Analysis of the Markets for Privately Owned Recreational Lots and Leisure Homes. Richard L. Ragatz Associates, Inc. 1974. (PB-233 148, $12.50; microfiche, $2.25)

Farmers' Pesticide Use Decisions and Attitudes on Alternate Crop Protection Methods. RvR Consultants. 1974. (PB-234 633, $7.00; microfiche, $2.25)

The Costs of Sprawl: Environmental and Economic Costs of Alternative Residential Development Patterns at the Urban Fringe. Real Estate Research Corporation. 1974. Prepared for the Council on Environmental Quality, the Department of Housing and Urban Development, and the Environmental Protection Agency.
Executive Summary [4111-00023, $0.55]
Detailed Cost Analysis (includes the Executive Summary) [4111-0021, $2.90]
Literature Review and Bibliography [4111-00022, $3.25]

Interceptor Sewers and Suburban Sprawl. Urban Systems Research & Engineering, Inc. 1974.
Volume 1: Analysis (PB-236 477, $7.00; microfiche, $2.25)
Volume 2: Case Studies (PB-236 871, $8.75; microfiche, $2.25)

Environmental Impacts, Efficiency, and Cost of Energy Supply and End Use. Hittman Associates, Inc.
Volume I. 1974. (PB-238 784, $10.25; microfiche, $2.25)
Volume II. 1975. (PB-239 159, $8.50; microfiche, $2.25)

Production, Distribution, Use and Environmental Impact Potential of Selected Pesticides. Midwest Research Institute and RvR Consultants. 1974. (PB-238 795, $11.50; microfiche, $2.25)

The National Environmental Policy Act Process Study: An Evaluation of the Implementation and Administration of the NEPA by the Forest Service and the Bureau of Land Management. VTN Consolidated, Inc. 1975. (PB-239 672, $8.50; microfiche, $2.25)

MISCELLANEOUS

An Appraisal of the Problem of the Handling, Transportation, and Disposal of Toxic and Other Hazardous Materials. Booz.Allen & Hamilton. 1970. Prepared for the Toxic and Hazardous Materials Steering Committee. (PB-236 599, $5.50; microfiche, $2.25)

Report of the Interagency Working Group on Health and Environmental Effects of Energy Use. 1974. (PB-237 937, $17.25; microfiche, $2.25)

Transcript of Proceedings, Interagency Task Force on Inadvertent Modification of the Stratosphere. 1975. (PB-240 122, $7.25; microfiche, $2.25)

OCS Oil and Gas - An Environmental Assessment is available in five volumes from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. It is also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151. On microfiche, each volume is $2.25; for the set, PB-239 262, the charge is $31.00 for paper.

Volume 1, PREX14.2:C15/2/vol. 1, $2.90 (PB-239 263, $5.40)

OCS Oil and Gas - An Environmental Assessment, A Report to the President, Council on Environmental Quality
Issues in the Assessment of Environmental Impacts of Oil and Gas Production on the Outer Continental Shelf, A Critique, National Research Council

Volume 2, PREX14.2:C15/2/vol. 2, $3.70 (PB-239 264, $6.20)

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Volume 3, PREX14.2:C15/2/vol. 3, $2.65 (PB-239 265, $5.15)

The Effect of Natural Phenomena on OCS Gas and Oil Development, Tetra Tech, Inc.

Toward Resolving Problems in Outer Continental Shelf Technology, Resources for the Future, Inc.

Volume 4, PREX14.2:C15/2/vol. 4, $6.65 (PB-239 266, $9.65)

Potential Onshore Effects of Oil and Gas Production on the Atlantic and Gulf of Alaska Outer Continental Shelf, Resource Planning Associates, Inc., and David M. Dornbusch & Co.

Volume 5, PREX14.2:C15/2/vol. 5, $6.50 (PB-239 267, $9.50)

Potential Biological Effects of Hypothetical Oil Discharges in the Atlantic Coast and Gulf of Alaska, Massachusetts Institute of Technology

Simulation of Hypothetical Offshore Petroleum Developments, Massachusetts Institute of Technology

Analysis of Oil Spill Statistics, Massachusetts Institute of Technology

Oil Spill Trajectory Studies for Atlantic Coast and Gulf of Alaska, Massachusetts Institute of Technology

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| | | DRAFT | Federal Water Pollution Control Act, 204(b)(1) Ame | 50169 | 02-04-75 | EPA |
| | | DRAFT | Federal Water Pollution Control Act, 307(a) Amends | 50170 | 02-04-75 | EPA |
| | | DRAFT | Gulf LORAN-C Project | 50186 | 02-10-75 | DOT |
| | | DRAFT | Sport Hunting of Migratory Birds, Regulations | 50196 | 02-10-75 | DOI |
| | | DRAFT | Injurious Wildlife Importation Regulations | 50250 | 02-19-75 | DOI |
| | | FINAL | Viking 1975 Program | 50283 | 02-27-75 | NASA |
| Alabama | several | DRAFT | Tombigbee Units 2 and 3 | 50189 | 02-10-75 | USDA |
| | Escambia | DRAFT | Upper Brushy Creek Watershed | 50162 | 02-03-75 | USDA |
| | Morgan | FINAL | Alabama 67, Morgan County | 50264 | 02/24/75 | DOT |
| Alaska | | DRAFT | Latouche Island Timber Sale | 50220 | 02-18-75 | USDA |
| | | FINAL | Prince William Sound Vessel Traffic System | 50204 | 02-11-75 | DOT |
| | | FINAL | Haines Small Boat Harbor, Alaska | 50217 | 02-13-75 | COE |
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| | | FINAL | Proposed Lake Clark National Park | 50241 | 02-18-75 | DOI |
| | | FINAL | Proposed Harding Icefield-Kenai Fjords N.M. | 50242 | 02-18-75 | DOI |
| | | FINAL | Proposed Yukon - Kiskokwim National Forest | 50243 | 02-18-75 | DOI |
| | | FINAL | Proposed Wrangell-St. Elias National Park | 50244 | 02-18-75 | DOI |
| | | FINAL | Proposed Kobuk Valley National Monument | 50245 | 02-18-75 | DOI |
| | | FINAL | Proposed Wrangell Mountains National Forest | 50246 | 02-18-75 | DOI |
| | | FINAL | Proposed Chukchi-Imuruk National Wildlands | 50247 | 02-18-75 | DOI |
| | | FINAL | Homer Small Boat Harbor | 50272 | 02-25-75 | COE |
| Arizona | Pima | FINAL | Border Station Building, Lukeville, Arizona | 50251 | 02-21-75 | GSA |
| Arkansas | | DRAFT | Ltlle Black Watersheds | 50181 | 02-07-75 | USDA |
| California | | DRAFT | OCS Leasing, Offshore Southern California | 50259 | 02-20-75 | DOI |
| | several | DRAFT | Timber Management Plan, Plumas N.F. | 50227 | 02-18-75 | USDA |
| | Orange | DRAFT | Aliso Water Management Agency Project | 50174 | 02-05-75 | EPA |
| | Riverside | DRAFT | Palomar Planning Unit, Cleveland N.F. | 50190 | 02-10-75 | USDA |
| | Sacramento | DRAFT | Sacramento Regional Wastewater Management Program | 50171 | 02-04-75 | EPA |
| | San Benito | DRAFT | San Felipe Division, Central Valley Project | 50249 | 02-19-75 | DOI |
| | San Diego | DRAFT | Palomar Planning Unit, Cleveland N.F. | 50190 | 02-10-75 | USDA |
| | Santa Clara | DRAFT | San Felipe Division, Central Valley Project | 50249 | 02-19-75 | DOI |
| | Yolo | DRAFT | Sacramento Regional Wastewater Management Program | 50171 | 02-04-75 | EPA |

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|---|---|---|---|---|---|---|
| | | DRAFT | Demilitarization of M34 Stockpile, Supplement | 50271 | 02/21/75 | DOD |
| Colorado | several | DRAFT | 230 kV Transmission Lines, Boone to Lamar | 50216 | 02-13-75 | USDA |
| | | FINAL | Transmission Lines, Colorado-Ute Assoc. | 50262 | 02-24-75 | USDA |
| Connecticut | New London | DRAFT | New London Station | 50177 | 02-06-75 | DOT |
| District of Co | | DRAFT | Soviet Embassy Complex | 50219 | 02-14-75 | GSA |
| Florida | | DRAFT | Atlantic Intracoastal Waterway, S.C. | 50273 | 02-25-75 | COE |
| | Broward | DRAFT | US Courthouse and Federal Building | 50255 | 02-20-75 | GSA |
| | Columbia | DRAFT | U.S. 90 (S.R. 10-Duval Street), Lake City | 50228 | 02-18-75 | DOT |
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| | Chatham | DRAFT | Savannah Harbor Modification | 50276 | 02-25-75 | COE |
| | Glynn | DRAFT | Jekyll Island Beach Erosion, Supplement | 50184 | 02-10-75 | COE |
| Idaho | | DRAFT | Middle Snake River Project | 50224 | 02-18-75 | FPC |
| | | DRAFT | Lower Granite Project, Snake River | 50277 | 02-25-75 | COE |
| | Elmore | FINAL | Mountain Home Unit, Boise N.F. | 50195 | 02-10-75 | USDA |
| | Idaho | DRAFT | Rainy Day Planning Unit, Nezperce N. F. | 50289 | 02-28-75 | USDA |
| Illinois | Cook | DRAFT | O'Hare Wastewater Conveyance System | 50286 | 02-28-75 | EPA |
| | | DRAFT | O'Hare Water Reclamation Plant | 50287 | 02-28-75 | EPA |
| Indiana | several | DRAFT | Anderson River Watershed | 50203 | 02-11-75 | USDA |
| Iowa | Louisa | DRAFT | Muscatine-Louisa Co. Flood Protection | 50236 | 02-18-75 | COE |
| | Muscatine | DRAFT | Muscatine-Louisa Co. Flood Protection | 50236 | 02-18-75 | COE |
| | Scott | DRAFT | 561 North-South Facility and U.S. 61-Bypass | 50269 | 02-24-75 | DOT |

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| Kentucky | | FINAL | US 119-Appalachian Corridor G | 50192 | 02-10-75 | DOT |
| | Daviess | DRAFT | SR 54, Owensboro | 50213 | 02-13-75 | DOT |
| Louisiana | East Feliciana | FINAL | SR 67, Clinton-Mississippi State Line Highway | 50234 | 02/18/75 | DOT |
| Maryland | Montgomery | FINAL | Uniformed Services Univ. of Health Sciences | 50161 | 02-03-75 | USN |
| Massachusetts | Berkshire | FINAL | Federal Office Building, Pittsfield, Mass. | 50237 | 02-18-75 | GSA |
| | Suffolk | FINAL | Boston-Logan International Airport | 50280 | 02-25-75 | DOT |
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| Minnesota | | FINAL | Duluth Superior Harbor, Minnesota and Wisconsin | 50183 | 02-07-75 | COE |
| | Beltrami | FINAL | Timber Management Plan, Chippewa N.F. | 50211 | 02-13-75 | USDA |
| | Cass | FINAL | Timber Management Plan, Chippewa N.F. | 50211 | 02-13-75 | USDA |
| | Hennepin | FINAL | Cedar - Riverside New Community, Minneapolis | 50199 | 02-10-75 | HUD |
| | Itasca | FINAL | Timber Management Plan, Chippewa N.F. | 50211 | 02-13-75 | USDA |
| | Scott | DRAFT | Farmers Union Grain Terminal | 50163 | 02-03-75 | COE |
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| Mississippi | Itawamba | DRAFT | Mantachie, Bogue Pala, and Bogue Ecuba Watershed | 50187 | 02-10-75 | USDA |
| | Kemper | DRAFT | Shuqualak Creek Watershed Project | 50188 | 02-10-75 | USDA |
| | Lee | DRAFT | Mantachie, Bogue Pala, and Bogue Ecuba Watershed | 50187 | 02-10-75 | USDA |
| | Monroe | DRAFT | Mantachie, Bogue Pala, and Bogue Ecuba Watershed | 50187 | 02-10-75 | USDA |
| | Noxubee | DRAFT | Shuqualak Creek Watershed Project | 50188 | 02-10-75 | USDA |
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| Missouri | | DRAFT | Ltte Black Watersheds | 50181 | 02-07-75 | USDA |
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| | Callaway | FINAL | Cedar Creek Unit, Clark N.F. | 50261 | 02-24-75 | USDA |
| | Mississippi | DRAFT | St. Johns Bayou and New Madrid Floodway | 50193 | 02-10-75 | COE |
| | New Madrid | DRAFT | St. Johns Bayou and New Madrid Floodway | 50193 | 02-10-75 | COE |
| | Scott | DRAFT | St. Johns Bayou and New Madrid Floodway | 50193 | 02-10-75 | COE |
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| | Sarpy | DRAFT | Missouri River Levee System, Sarpy Co. | 50239 | 02-18-75 | COE |
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| | Eddy | DRAFT | Cottonwood-Walnut Creek Watershed | 50282 | 02-27-75 | USDA |
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| | Manhattan | DRAFT | New York Convention Center, Permit Application | 50233 | 02-18-75 | COE |
| | Nassau | FINAL | Jones Inlet, Maintenance Dredging | 50225 | 02-18-75 | COE |
| | Niagra | DRAFT | Olcott Small Boat Harbor | 50281 | 02-25-75 | COE |
| | Suffolk | DRAFT | Jamesport Nuclear Power Station, Units 1 and 2 | 50176 | 02-05-75 | NRC |
| | Westchester | FINAL | Indian Point Station, Unit 3 | 50285 | 02-27-75 | NRC |
| North Carolina | | DRAFT | Chattooga River Unit | 50266 | 02-24-75 | USDA |
| | several | DRAFT | Atlantic Intracoastal Waterway, N.C. | 50222 | 02-18-75 | COE |
| | Caswell | FINAL | U.S. 29 Improvement | 50206 | 02-11-75 | DOT |
| | Mecklenburg | FINAL | Inner Belt Loop, Charlotte | 50268 | 02-24-75 | DOT |
| | Rockingham | FINAL | U.S. 29 Improvement | 50206 | 02-11-75 | DOT |
| North Dakota | Bottineau | FINAL | County Road, Bottineau County | 50254 | 02-20-75 | DOT |

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|---|---|---|---|---|---|---|
| North Dakota | Mountrail | FINAL | Mountrail County Road | 50175 | 02-05-75 | DOT |
| Ohio | Ottawa | DRAFT | Davis-Besse Nuclear Power Sta., 2 & 3 | 50218 | 02-14-75 | NRC |
| Oklahoma | Sequoyah | FINAL | Sequoyah Uranium Hexafluoride Plant | 50212 | 02-13-75 | AEC |
| Oregon | | DRAFT | I-205, to Portland, Oregon | 50215 | 02-13-75 | DOT |
| | | DRAFT | Middle Snake River Project | 50224 | 02-18-75 | FPC |
| | | FINAL | Commercial Dredging at Ross Island | 50168 | 02-04-75 | COE |
| | Coos | DRAFT | SR 242, Powers Highway | 50214 | 02-13-75 | DOT |
| | | DRAFT | Coos Bay (Supplement) | 50267 | 02-24-75 | COE |
| | | FINAL | Rogue Planning Unit, Siskiyou N.F. | 50231 | 02-18-75 | USDA |
| | Curry | FINAL | Rogue Planning Unit, Siskiyou N.F. | 50231 | 02-18-75 | USDA |
| | Douglas | DRAFT | The Siuslaw and Umpqua Estuaries, Dredging | 50229 | 02-18-75 | COE |
| | | DRAFT | Fairview, Puddin Rock, and Canton-Steelhead Areas | 50235 | 02-18-75 | USDA |
| | Hood River | FINAL | Eagle Creek Planning Unit, Mt. Hood N.F. | 50173 | 02-03-75 | USDA |
| | Lane | DRAFT | The Siuslaw and Umpqua Estuaries, Dredging | 50229 | 02-18-75 | COE |
| | | DRAFT | Fairview, Puddin Rock, and Canton-Steelhead Areas | 50235 | 02-18-75 | USDA |
| | Multinomah | FINAL | Eagle Creek Planning Unit, Mt. Hood N.F. | 50173 | 02-03-75 | USDA |
| Pennsylvania | Berks | DRAFT | Downtown East Urban Renewal, Reading | 50205 | 02-11-75 | HUD |
| | Montgomery | DRAFT | Pine Run Watershed Poject | 50258 | 02-20-75 | USDA |
| Rhode Island | | FINAL | Providence River Harbor Channel, Supplement | 50253 | 02-20-75 | COE |
| South Carolina | | DRAFT | Chattooga River Unit | 50266 | 02-24-75 | USDA |
| | | DRAFT | Atlantic Intracoastal Waterway, S.C. | 50273 | 02-25-75 | COE |
| | Beaufort | FINAL | US 278, Beaufort County | 50166 | 02-03-75 | DOT |
| Tennessee | Shelby | FINAL | Federal Youth Center, Memphis | 50179 | 02-07-75 | GSA |
| Texas | Chambers | DRAFT | Houston Ship Channel, Dredging | 50221 | 02-18-75 | COE |

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|---|---|---|---|---|---|---|
| Texas | Cooke | DRAFT | Aubrey Lake, Supplement | 50185 | 02-10-75 | COE |
| | Dallas | DRAFT | Drug Enforcement Administration Lease Facility | 50288 | 02-28-75 | GSA |
| | Galveston | DRAFT | Houston Ship Channel, Dredging | 50221 | 02-18-75 | COE |
| | Harris | DRAFT | Beltway 8-North, Subsection I | 50164 | 02-03-75 | DOT |
| | | DRAFT | Houston Ship Channel, Dredging | 50221 | 02-18-75 | COE |
| | | FINAL | Northwest Sewage Facility, Houston, Texas | 50209 | 02-12-75 | EPA |
| | Presido | DRAFT | Border Patrol Sector Headquarters, Marfa, Texas | 50275 | 02-25-75 | GSA |
| | Williamson | FINAL | Loop 427, Williamson County | 50159 | 02-03-75 | DOT |
| Utah | several | DRAFT | Sigurd to Cedar City Power Transmission Line | 50178 | 02-06-75 | DOI |
| Virginia | | FINAL | Parker Creek, Maintenance Dredging | 50182 | 02-07-75 | COE |
| | | FINAL | Norfolk Naval Station | 50202 | 02-11-75 | USN |
| | Accomack | DRAFT | Chincoteague Harbor of Refuge, Maintenance Dredging | 50201 | 02-10-75 | COE |
| | Accomacki | FINAL | Starlings Creek Navigation Project, Virginia | 50226 | 02-18-75 | COE |
| | Prince William | FINAL | Featherstone National Wildlife Refuge | 50197 | 02-10-75 | DOI |
| Washington | | DRAFT | I-205, to Portland, Oregon | 50215 | 02-13-75 | DOT |
| | | DRAFT | Middle Snake River Project | 50224 | 02-18-75 | FPC |
| | | DRAFT | Lower Granite Project, Snake River | 50277 | 02-25-75 | COE |
| | | FINAL | Zintel Canyon Dam, Kennewick | 50252 | 02-20-75 | COE |
| | several | FINAL | Timber Plan Gifford Pinchot N.F. | 50265 | 02-24-75 | USDA |
| | Grays Harbor | DRAFT | Washington Nuclear Projects 3 and 5 | 50208 | 02-12-75 | NRC |
| | | DRAFT | Satsop Integrating Transmission, (Supplement) | 50284 | 02-27-75 | DOI |
| | King | FINAL | Seattle-Tacoma International Airport | 50248 | 02-19-75 | DOT |
| | Lewis | DRAFT | Satsop Integrating Transmission, (Supplement) | 50284 | 02-27-75 | DOI |
| | Skagit | DRAFT | Baker Lake Flood Control Project, Skagit Basin | 50256 | 02-20-75 | COE |
| | Skamania | DRAFT | Clear Creek Planning Unit, Gifford Pinchot N.F. | 50160 | 02-03-75 | USDA |
| | Snohomish | DRAFT | SR 525, Swamp Creek Interchange to SR 99 | 50210 | 02-13-75 | DOT |
| | Thurston | DRAFT | Satsop Integrating Transmission, (Supplement) | 50284 | 02-27-75 | DOI |
| | Whatcom | DRAFT | Baker Lake Flood Control Project, Skagit Basin | 50256 | 02-20-75 | COE |
| West Virginia | | FINAL | US 119-Appalachian Corridor G | 50192 | 02-10-75 | DOT |
| Wisconsin | | FINAL | Duluth Superior Harbor, Minnesota and Wisconsin | 50183 | 02-07-75 | COE |
| | Eau Claire | FINAL | Madison Street Underpass, Eau Claire | 50278 | 02-25-75 | DOT |

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|---|---|---|---|---|---|---|
| Wyoming | Goshen | FINAL | Spring Canyon Watershed, Wyoming | 50238 | 02-18-75 | USDA |
| | Sublette | FINAL | Boulder Lake Country Transmission, Bridger-Teton N.F. | 50274 | 02-25-75 | USDA |

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|---|---|---|---|---|
| ATOMIC ENERGY COMMISSION | | | | |
| | FINAL | Sequoyah Uranium Hexafluoride Plant | 50212 | 02-13-75 |
| DEPARTMENT OF AGRICULTURE | | | | |
| Forest Service | | | | |
| | DRAFT | Clear Creek Planning Unit, Gifford Pinchot N.F. | 50160 | 02-03-75 |
| | | Palomar Planning Unit, Cleveland N.F. | 50190 | 02-10-75 |
| | | Latouche Island Timber Sale | 50220 | 02-18-75 |
| | | Timber Management Plan, Plumas N.F. | 50227 | 02-18-75 |
| | | Fairview, Puddin Rock, and Canton-Steelhead Areas | 50235 | 02-18-75 |
| | | Chattooga River Unit | 50266 | 02-24-75 |
| | | Rainy Day Planning Unit, Nezperce N. F. | 50289 | 02-28-75 |
| | FINAL | Eagle Creek Planning Unit, Mt. Hood N.F. | 50173 | 02-03-75 |
| | | Upper Fisher Planning Unit, Kootenai N.F. | 50180 | 02-07-75 |
| | | Mountain Home Unit, Boise N.F. | 50195 | 02-10-75 |
| | | Timber Management Plan, Chippewa N.F. | 50211 | 02-13-75 |
| | | Rogue Planning Unit, Siskiyou N.F. | 50231 | 02-18-75 |
| | | Cedar Creek Unit, Clark N.F. | 50261 | 02-24-75 |
| | | Timber Plan Gifford Pinchot N.F. | 50265 | 02-24-75 |
| | | Boulder Lake Country Transmission, Bridger-Teton N | 50274 | 02-25-75 |
| Rural Electrification Administration | | | | |
| | DRAFT | Tombigbee Units 2 and 3 | 50189 | 02-10-75 |
| | | 230 kV Transmission Lines, Boone to Lamar | 50216 | 02-13-75 |
| | FINAL | Transmission Lines, Colorado-Ute Assoc. | 50262 | 02-24-75 |
| Soil Conservation Service | | | | |
| | DRAFT | Upper Brushy Creek Watershed | 50162 | 02-03-75 |
| | | Ltlle Black Watersheds | 50181 | 02-07-75 |
| | | Mantachie, Bogue Pala, and Bogue Ecuba Watershed | 50187 | 02-10-75 |
| | | Shuqualak Creek Watershed Project | 50188 | 02-10-75 |
| | | Anderson River Watershed | 50203 | 02-11-75 |
| | | Pine Run Watershed Poject | 50258 | 02-20-75 |
| | | Cottonwood-Walnut Creek Watershed | 50282 | 02-27-75 |
| | FINAL | Spring Canyon Watershed, Wyoming | 50238 | 02-18-75 |
| DEPARTMENT OF DEFENSE, Army Corps | | | | |
| | DRAFT | Farmers Union Grain Terminal | 50163 | 02-03-75 |
| | | Holland Harbor, Mitigation of Shore Damage | 50165 | 02-03-75 |
| | | Jekyll Island Beach Erosion, Supplement | 50184 | 02-10-75 |
| | | Aubrey Lake, Supplement | 50185 | 02-10-75 |
| | | St. Johns Bayou and New Madrid Floodway | 50193 | 02-10-75 |
| | | Chincoteaque Harbor of Refuge, Maintenance Dredgin | 50201 | 02-10-75 |
| | | Houston Ship Channel, Dredging | 50221 | 02-18-75 |

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| DEPARTMENT OF DEFENSE, Army Corps | DRAFT | Atlantic Intracoastal Waterway, N.C. | 50222 | 02-18-75 |
| | | The Siuslaw and Umpqua Estuaries, Dredging | 50229 | 02-18-75 |
| | | New York Convention Center, Permit Application | 50233 | 02-18-75 |
| | | Muscatine-Louisa Co. Flood Protection | 50236 | 02-18-75 |
| | | Missouri River Levee System, Sarpy Co. | 50239 | 02-18-75 |
| | | Baker Lake Flood Control Project, Skagit Basin | 50256 | 02-20-75 |
| | | New York Harbor, Removal of Drift | 50257 | 02-20-75 |
| | | Fuel Oil Storage Terminal Permit, Weehawken Cove | 50260 | 02-21-75 |
| | | Coos Bay (Supplement) | 50267 | 02-24-75 |
| | | Atlantic Intracoastal Waterway, S.C. | 50273 | 02-25-75 |
| | | Savannah Harbor Modification | 50276 | 02-25-75 |
| | | Lower Granite Project, Snake River | 50277 | 02-25-75 |
| | | Mount Morris Flood Control Project | 50279 | 02-25-75 |
| | | Olcott Small Boat Harbor | 50281 | 02-25-75 |
| | FINAL | Commercial Dredging at Ross Island | 50168 | 02-04-75 |
| | | Parker Creek, Maintenance Dredging | 50182 | 02-07-75 |
| | | Duluth Superior Harbor, Minnesota and Wisconsin | 50183 | 02-07-75 |
| | | Haines Small Boat Harbor, Alaska | 50217 | 02-13-75 |
| | | Jones Inlet, Maintenance Dredging | 50225 | 02-18-75 |
| | | Starlings Creek Navigation Project, Virginia | 50226 | 02-18-75 |
| | | Zintel Canyon Dam, Kennewick | 50252 | 02-20-75 |
| | | Providence River Harbor Channel, Supplement | 50253 | 02-20-75 |
| | | Homer Small Boat Harbor | 50272 | 02-25-75 |
| DEPARTMENT OF DEFENSE, Army | DRAFT | Demilitarization of M34 Stockpile, Supplement | 50271 | 02/21/75 |
| DEPARTMENT OF DEFENSE, Navy | FINAL | Uniformed Services Univ. of Health Sciences | 50161 | 02-03-75 |
| | | Norfolk Naval Station | 50202 | 02-11-75 |
| DEPARTMENT OF HUD | DRAFT | Dade County Neighborhood Development Program | 50167 | 02-03-75 |
| | | Downtown East Urban Renewal, Reading | 50205 | 02-11-75 |
| | FINAL | Cedar - Riverside New Community, Minneapolis | 50199 | 02-10-75 |
| DEPARTMENT OF INTERIOR | FINAL | Proposed Porcupine National Forest | 50240 | 02-18-75 |
| | | Proposed Yukon - Kiskokwim National Forest | 50243 | 02-18-75 |
| | | Proposed Wrangell Mountains National Forest | 50246 | 02-18-75 |
| Bonneville Power Administration | DRAFT | Satsop Integrating Transmission, (Supplement) | 50284 | 02-27-75 |

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| DEPARTMENT OF INTERIOR | | | | |
| Bureau of Land Management | | | | |
| | DRAFT | Sigurd to Cedar City Power Transmission Line | 50178 | 02-06-75 |
| | | OCS Leasing, Offshore Southern California | 50259 | 02-20-75 |
| Bureau of Reclamation | | | | |
| | DRAFT | San Felipe Division, Central Valley Project | 50249 | 02-19-75 |
| | FINAL | ElwoodDam and Reservoir | 50232 | 02-18-75 |
| Bureau of Sports Fisheries and Wildlife | | | | |
| | DRAFT | Sport Hunting of Migratory Birds, Regulations | 50196 | 02-10-75 |
| | | Injurious Wildlife Importation Regulations | 50250 | 02-19-75 |
| | FINAL | Featherstone National Wildlife Refuge | 50197 | 02-10-75 |
| National Park Service | | | | |
| | FINAL | Proposed Lake Clark National Park | 50241 | 02-18-75 |
| | | Proposed Harding Icefield-Kenai Fjords N.M. | 50242 | 02-18-75 |
| | | Proposed Wrangell-St. Elias National Park | 50244 | 02-18-75 |
| | | Proposed Kobuk Valley National Monument | 50245 | 02-18-75 |
| | | Proposed Chukchi-Imuruk National Wildlands | 50247 | 02-18-75 |
| DEPARTMENT OF TRANSPORTATION | | | | |
| Federal Aviation Administration | | | | |
| | FINAL | Seattle-Tacoma International Airport | 50248 | 02-19-75 |
| | | Boston-Logan International Airport | 50280 | 02-25-75 |
| Federal Highway Administration | | | | |
| | DRAFT | Beltway 8-North, Subsection I | 50164 | 02-03-75 |
| | | US 119-Appalachian Corridor G | 50192 | 02-10-75 |
| | | S.R. 9 By-pass, Keene | 50198 | 02-10-75 |
| | | SR 525, Swamp Creek Interchange to SR 99 | 50210 | 02-13-75 |
| | | SR 54, Owensboro | 50213 | 02-13-75 |
| | | SR 242, Powers Highway | 50214 | 02-13-75 |
| | | I-205, to Portland, Oregon | 50215 | 02-13-75 |
| | | U.S. 90 (S.R. 10-Duval Street), Lake City | 50228 | 02-18-75 |
| | | Railroad Relocation Demonstration Project | 50263 | 02-24-75 |
| | | 561 North-South Facility and U.S. 61-Bypass, Daven | 50269 | 02-24-75 |
| | FINAL | Loop 427, Williamson County | 50159 | 02-03-75 |
| | | US 278, Beaufort County | 50166 | 02-03-75 |
| | | Mountrail County Road | 50175 | 02-05-75 |
| | | M 99, (Logan Street), Lansing | 50194 | 02-10-75 |
| | | Yazoo City Bypass, U.S. 49W | 50200 | 02-10-75 |
| | | U.S. 29 Improvement | 50206 | 02-11-75 |
| | | Helena-West (US 12) | 50223 | 02-18-75 |
| | | I-35 Interchange | 50230 | 02-18-75 |
| | | County Road, Bottineau County | 50254 | 02-20-75 |
| | | Inner Belt Loop, Charlotte | 50268 | 02-24-75 |
| | | Madison Street Underpass, Eau Claire | 50278 | 02-25-75 |
| | | SR 67, Clinton-Mississippi State Line Highway | 50234 | 02/18/75 |
| | | Alabama 67, Morgan County | 50264 | 02/24/75 |

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|---|---|---|---|---|
| DEPARTMENT OF TRANSPORTATION | | | | |
| U.S.Coast Guard | | | | |
| | DRAFT | New London Station | 50177 | 02-06-75 |
| | | Gulf LORAN-C Project | 50186 | 02-10-75 |
| | FINAL | New York Vessel Traffic System | 50191 | 02-10-75 |
| | | Prince William Sound Vessel Traffic System | 50204 | 02-11-75 |
| ENERGY RESOURCES DEVELOPMENT ADMINISTRAT | | | | |
| | DRAFT | Takomak Fusion Test Reactor Facilities | 50172 | 02-04-75 |
| ENVIRONMENTAL PROTECTION AGENCY | | | | |
| | DRAFT | Federal Water Pollution Control Act, 204(b)(1) Ame | 50169 | 02-04-75 |
| | | Federal Water Pollution Control Act, 307(a) Amends | 50170 | 02-04-75 |
| | | Sacramento Regional Wastewater Management Program | 50171 | 02-04-75 |
| | | Aliso Water Management Agency Project | 50174 | 02-05-75 |
| | | O'Hare Wastewater Conveyance System | 50286 | 02-28-75 |
| | | O'Hare Water Reclamation Plant | 50287 | 02-28-75 |
| | FINAL | Northwest Sewage Facility, Houston, Texas | 50209 | 02-12-75 |
| FEDERAL POWER COMMISSION | | | | |
| | DRAFT | Middle Snake River Project | 50224 | 02-18-75 |
| GENERAL SERVICES ADMINISTRATION | | | | |
| | DRAFT | Soviet Embassy Complex | 50219 | 02-14-75 |
| | | US Courthouse and Federal Building | 50255 | 02-20-75 |
| | | Border Patrol Sector Headquarters, Marfa, Texas | 50275 | 02-25-75 |
| | | Drug Enforcement Administration Lease Facility | 50288 | 02-28-75 |
| | FINAL | Federal Youth Center, Memphis | 50179 | 02-07-75 |
| | | Federal Office Building, Pittsfield, Mass. | 50237 | 02-18-75 |
| | | Border Station Building, Lukeville, Arizona | 50251 | 02-21-75 |
| NATIONAL AERONAUTICS AND SPACE ADMIN. | | | | |
| | FINAL | Viking 1975 Program | 50283 | 02-27-75 |

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|---|---|---|---|---|
| NUCLEAR REGULATORY COMMISSION | | | | |
| | DRAFT | Jamesport Nuclear Power Station, Units 1 and 2 | 50176 | 02-05-75 |
| | | Washington Nuclear Projects 3 and 5 | 50208 | 02-12-75 |
| | | Davis-Besse Nuclear Power Sta., 2 & 3 | 50218 | 02-14-75 |
| | FINAL | Indian Point Station, Unit 3 | 50285 | 02-27-75 |

DEPARTMENT OF AGRICULTURE

Contact: David Ward
Acting Coordinator
Environmental Quality Activities
Office of the Secretary
U.S.Department of Agriculture
Room 331-E, Administration Building
Washington, D.C. 20250
(202) 447-3853

Forest Service

Draft — Date

Latouche Island Timber Sale — 02/18

Alaska
The statement concerns a timber sale in approximately 180 acres of the southeast side of Latouche Island, near Cordova, Alaska. The harvest would span two years and would consist of four clearcut units totaling approximately 90 acres. Total volume is expected to be 2,780 MBF. The sale will result in the construction of 2,240 feet of road. (22 pages)
(ELR ORDER # 50220)

Palomar Planning Unit, Cleveland N.F. — 02/10

California
County: San Diego Riverside
The statement refers to the 124,000 acre Palomar Mountain Planning Unit of the Cleveland National Forest. The plan proposes designation of 36,629 acres of National Forest lands as Special Interest Area - (Scenic), encompassing two Roadless areas, a complete fuel modification program for the entire Unit, acquisition of 5,315 acres privately owned lands and 1,828 acres BLM land, and non-development status on all slopes over 50%. Adverse impacts include increased litter and fire risk as a result of additional people engaged in back country activity.
(ELR ORDER # 50190)

Timber Management Plan, Plumas N.F. — 02/18

California
County: several
The statement proposes to carry out the revised Plumas National Forest Timber Management Plan which sets a total potential yield of 1,678.0 MMBF from the standard component commercial forest lands during the 10-year plan period. Adverse impacts include construction of roads for access to the harvest areas and degradation of appearance of the landscape. (53 pages)
(ELR ORDER # 50227)

Draft — Date

Chattooga River Unit — 02/24

Georgia North Carolina South Carolina
The statement concerns the 10-year management plan of the 104,586-acre Chattooga River Unit of the Chattahoochee, Nantahala, and Sumter National Forests. The plan includes development for recreation, timber harvests, establishment of cultural and unusual areas for possible individual management, and construction of roads and parking lots. Adverse impacts include construction disruption and degradation fo visual aesthetics due to timber harvests.
(ELR ORDER # 50266)

Rainy Day Planning Unit, Nezperce N. F. — 02/28

Idaho
County: Idaho
The statement concerns a multiple use plan for the 45,300-acre Rainy Day Planning Unit of Nezperce National Forest. The most likely alternative includes plans for protection of the Ten-Mile Watershed, limited mining, and timber harvesting. (229 pages)
(ELR ORDER # 50289)

Fairview, Puddin Rock, and Canton-Steelhead Areas — 02/18

Oregon
County: Lane Douglas
The statement concerns the management direction of three Roadless Areas within the Umpqua National Forest. The proposal is to manage the areas for a combinaton of resource values including water, wildlife, fish habitat, mining, timber, and outdoor recreation. Road construction will result from timber harvests. (39 pages)
(ELR ORDER # 50235)

Clear Creek Planning Unit, Gifford Pinchot N.F. — 02/03

Washington
County: Skamania
Proposed is a comprehensive management plan for the 76,520 acre Clear Creek Planning Unit of the Gifford Pinchot National Forest. The plan includes timber harvests, designation of roadless areas and scenic areas. Adverse impacts include the construction of roads necessary for timber harvests and effects from additional people in the area (124 pages)
(ELR ORDER # 50160)

Final — Date

**Mountain Home Unit, Boise N.F.** 02/10

Idaho
County: Elmore
The statement refers to a proposed land use plan for the 443,946 acre Mountain Home Planning Unit of the Boise National Forest. The Unit has been divided into five management areas, which are divided into management units. Management will be for timber, range, recreation, wildlife, and wilderness and backcountry values. There are 124,760 acres of inventoried roadless areas within the Unit. Of these, 38,600 acres will remain undeveloped. The remainder may be developed as the need arises. (two volumes)
COMMENTS MADE BY: EPA DOI
state agencies and concerned citizens
(ELR ORDER # 50195)

**Timber Management Plan, Chippewa N.F.** 02/13

Minnesota
County: Beltrami Cass Itasca
The statement refers to the proposed timber management plan for the Chippewa National Forest. The plan period will extend from July 1, 1974 through June 30, 1982. The plan outlines an annual potential harvest of 86.6 MMBF of pulpwood, sawtimber, and other products. This harvest would consist of 8,200 acres of regeneration cuts and 5,900 acres of intermediate cuts. The impacts from herbicide use and road construction under the plan will be discussed in separate impact statements. This statement discusses the plan's impacts upon wildlife, recreational uses, and soil quality. (145 pages)
COMMENTS MADE BY: COE DOI DOT EPA GLRC
state agencies, national organizations corporations and concerned citizens
(ELR ORDER # 50211)

**Cedar Creek Unit, Clark N.F.** 02/24

Missouri
County: Boone Callaway
Proposed is a plan for the management direction of the Cedar Creek Purchase Unit, Clark National Forest. The Unit will be managed for recreational, wildlife, grazing, and timber values. The acquisition of land will require some displacement of people. There will be social, ecological, and economic impact from the proposal. (191 pages)
COMMENTS MADE BY: USDA EPA
state and local agencies
(ELR ORDER # 50261)

**Upper Fisher Planning Unit, Kootenai N.F.** 02/07

Montana
County: Lincoln

The statement refers to the implementation of a revised multiple use plan for the Upper Fisher Planning Unit, Libby and Fisher River Ranger Districts of Kootenai National Forest. Areas which are currently unroaded will be developed and the natural conditions of the Forest will be affected. Continued development activity will result in soil and vegetation disturbance and temporary noise and air pollution. (168 pages)
COMMENTS MADE BY: DOI EPA
state and local agencies
(ELR ORDER # 50180)

Eagle Creek Planning Unit, Mt. Hood N.F. 02/03

Oregon
County: Multinomah Hood River
Proposed is the implementation of a comprehensive land use plan for the 75,260 acre Eagle Creek Planning Unit of the Mt. Hood National Forest. The plan would result in a recommendation for a new wilderness study of 40,900 acres. Impacts of the plan would include the effects of an increased number of visitors, and the reduction of the annual allowable timber cut by 1,300,000 board feet.
.
COMMENTS MADE BY: AHP COE DOI HUD DOT EPA FPC
state and local agencies
organizations and concerned citizens
(ELR ORDER # 50173)

Rogue Planning Unit, Siskiyou N.F. 02/18

Oregon
County: Coos Curry
Proposed is a land use plan for the management of a 27,000 acre roadless area. The plan recommends sustained timber harvesting on lands outside of the Rogue River Wild and Scenic Corridor. The action will result in increased motorized access, recreational use, and big game forage. The proposed action also diminishes the opportunity for a wilderness or backcountry form of recreation; its implementation will preclude further consideration of the wilderness alternative.
(111 pages)
COMMENTS MADE BY: EPA DOI USDA COE DOT HUD
state agencies and organizations
and concerned citizens
(ELR ORDER # 50231)

Timber Plan Gifford Pinchot N.F. 02/24

Washington
County: several
The statement refers to a proposed revised timber management plan for the Gifford Pinchot National Forest. The plan will cover the period July 1, 1974 through June 30, 1984. A

potential yield of 5,274.5 million board feet is proposed for the 10 year period; the program harvest schedule is 345.5 million board feet. There will be some road construction, including some in presently roadless areas. There will be impact to air, soil, water, and wildlife values.

COMMENTS MADE BY: DOD DOC EPA DOI
state and local agencies
and concerned citizens
(ELR ORDER # 50265)

Boulder Lake Country Transmission, Bridger-Teton N.F. 02/25

Wyoming
County: Sublette
The statement refers to the proposed construction of an underground electrical power line to the Boulder Lake Country Estates Subdivision. Approximately 28,822 feet of the line will be on lands administered by BLM; 6,700 feet of the line will be on Forest Service Inventoried Roadless Area Number 50. There will be some soil disturbance and vegetation clearance as a result of the action. (29 pages)
COMMENTS MADE BY: USDA DOI
one local agency and one individual
(ELR ORDER # 50274)

Rural Electrification Administration

Draft Date

Tombigbee Units 2 and 3 02/10

Alabama
County: several
The statement refers ot the request for insured and guaranteed loan funds from REA for $295,000,000 to construct Alabama Electric Cooperative's addition of two 233MW (gross output) coalfired steam generator units and approximately 157 miles of 230 kV transmission lines and acquire related coal leases. Adverse impacts include soil erosion and visual intrusion from the transmission facilities and effects associated with burning coal.
(ELR ORDER # 50189)

230 kV Transmission Lines, Boone to Lamar 02/13

Colorado
County: several
The statement concerns the loan application by Colorado-Ute Electric Association, Inc., for construction of approximately 98 miles of 230 kV transmission line between Boone and Lamar, Colorado. The project also includes a 2.5 section of 115 kV tie lines between the Boone Substation and the existing Midway-LaJunta 115kV line, and a 13 mile 115 kV tie line between the proposed Lamar Substation and

the existing South Lamar Substation. The major adverse impact will be the intrusion of the transmission facilities upon the landscape.
(ELR ORDER # 50216)

Final — Date

Transmission Lines, Colorado-Ute Assoc. — 02/24

Colorado
County: several
Proposed is the granting of loans to the Colorado - Ute Electric Association for the financing of 42 miles of 115 kV transmission line from Bayfield to Pagosa Springs, and 16.5 miles of 115 kV line from Basalt to Aspen, along with related work. There will be negative visual impact, especially in the crossing of the Piedra River, which has been nominated for designation as a "Scenic River". The lines will cross both the San Juan and White River National Forests. Soil erosion may affect nearby waterways, and minor limitations will be placed on use of adjacent lands.
COMMENTS MADE BY: DOI EPA DOT FPC USDA COE
state and local agencies
and concerned citizens
(ELR ORDER # 50262)

Soil Conservation Service

Draft — Date

Upper Brushy Creek Watershed — 02/03

Alabama
County: Escambia
The statement concerns a project for watershed protection flood prevention, and drainage in Escambia County, Alabama. The plan proposes that over a period of five years, conservation land treatment methods be applied on 5600 acres of cropland, 880 acres of pastureland and 3055 acres of forest land; and 7.2 miles of channel work. Adverse impacts include direct loss of 75 acres of bottom land forest, increased depth of flooding below the channel work, and increased turbidity during construction.
(ELR ORDER # 50162)

Anderson River Watershed — 02/11

Indiana
County: several
The statement concerns a project for watershed protection, flood prevention, municipal and industrial water supply, and recreation in Crawford, Dubois, Perry and Spencer Counties, Indiana. The project will inundate 12.1 miles of perennial warm water stream fishery and 8.5 miles of intermittent feeder streams and 297 acres of land. Over

1200 acres cropland and forest will be replaced by dam, emergency spillway, and permanent pool areas. (102 pages)
(ELR ORDER # 50203)

Mantachie, Bogue Pala, and Bogue Ecuba Watershed 02/10

Mississippi
County: Itawamba Lee Monroe
The statement concerns a project for watershed protection, flood prevention, and recreation for Mantachie, Bogue Pala, and Bogue Ecuba Creeks Watershed. The project will utilize conservation land treatment, 12 floodwater retarding structures, and two multiple purpose structures. Nine hundred eighty three acres will be inundated and another 225 acres subject to seasonal flooding. Temporary construction disruption and lowered water quality will result.
(ELR ORDER # 50187)

Shuqualak Creek Watershed Project 02/10

Mississippi
County: Noxubee Kemper
Proposed is a project for watershed protection and flood prevention in Noxubee and Kemper Counties, Mississippi There will be about 67 acres of land cleared for sediment pools, the dam and spillway areas, and along the channel work rights-of-way. There will be a loss of agricultural production due to the inundation of 919 acres of farm land, and there will be a loss of 153 acres of wildlife habitat on lands to be in the sediment pools. Temporary water and air pollution will result during construction.
(ELR ORDER # 50188)

Lttle Black Watersheds 02/07

Missouri Arkansas
County: several
The statement concerns two interrelated projects for watershed protection, flood prevention, drainage on agricultural land, and recreation for 40,254 acres in Butler, Carter, and Ripley Counties, Missouri, and Clay County, Arkansas. Construction of the 24 floodwater retarding structures and the multiple-purpose reservoir will remove 1,192 acres of forest lnad, 334 acres of cropland, and 52 acres of pastureland. Proposed channel modification will result in the loss of 205 acres of cropland and 570 acres of forest land and the gain of 718 acres acres of pastureland. (125 pages)
(ELR ORDER # 50181)

Cottonwood-Walnut Creek Watershed 02/27

New Mexico
County: Chaves Eddy

The statement concerns the watershed protection, flood prevention, and recreational development in Chaves and and Eddy Counties, New Mexico. The project provides for land treatment on 140,000 acres of rangeland and 20,000 acres of irrigated cropland, 11 floodwater retarding structures, dams and reservoirs, spillways, floodwater diversions, channels, and recreation facilities, with 2,400 additional acres interrupted by flooding.
(ELR ORDER # 50282)

Pine Run Watershed Poject 02/20

Pennsylvania
County: Montgomery
The statement refers to a project for watershed protection and flood prevention in Montgomery County, Pennsylvania. The dams, spillways, and permanent pools will commit 35 acres of land and approximately five acres of woodlands and nine acres of open land will be disturbed by borrow pits. (58 pages)
(ELR ORDER # 50258)

Final Date

Spring Canyon Watershed, Wyoming 02/18

Wyoming
County: Goshen
Proposed is a watershed protection and flood prevention project, which will involve the construction of a dam and reservoir, channel works, and land treatment measures. The action will result in the commitment of 100 acres of rangeland to structural measure; 75 acres of rangeland will be subject to a two year disruption of vegetative cover.
COMMENTS MADE BY: EPA DOI HEW COE DOT AHP
one state agency
(ELR ORDER # 50238)

ATOMIC ENERGY COMMISSION

Final — Date

Sequoyah Uranium Hexafluoride Plant — 02/13

Oklahoma
County: Sequoyah
The statement refers to the continuation of Source Material License SUB-1010, held by the Kerr-McGee Corp., authorizing the operation of a uranium hexafluoride manufacturing facility in Sequoyah County, close to the confluence of the Illinois and Arkansas Rivers. The plant produces high purity uranium hexafluoride using uranium concentrates as the starting material. It is designed to produce 5000 tons of uranium annually.
COMMENTS MADE BY: AHP USDA COE HEW HUD DOI DOT EPA FPC state agencies
(ELR ORDER # 50212)

DEPARTMENT OF DEFENSE, Army

Contact: Mr. George A. Cunney, Jr.
Acting Chief, Environmental Office
Directorate of Installations
Office of the Deputy Chief of Staff
for Logistics
Washington, D.C.
(202) OX 4-4269

Draft Date:
Demilitarization of M34 Stockpile, Supplement 02/21

Colorado
The statement is a supplement to a final eis filed with CEQ 9 September 1973 and refers to the proposed demilitarization of 21,115 M34 nerve gas bomb clusters at the Rocky Mountain Arsenal, Denver. The supplement differs from the final in the collection and removal of material. (ELR ORDER # 50271)

DEPARTMENT OF DEFENSE, Army Corps

Contact: Mr. Francis X. Kelly
Director, Office of Public Affairs
Attn: DAEN-PAP
Office of the Chief of Engineers
U. S. Army Corps of Engineers
1000 Independence Avenue, S. W.
Washington, D. C. 20314
(202) 693-6861

Draft — Date

Jekyll Island Beach Erosion, Supplement — 02/10

Georgia
County: Glynn
The statement is a revised draft prepared to supplement the draft eis filed with CEQ August 10, 1973. The proposed action consists of restoration and periodic nourishment of 27,000 feet of ocean beach and construction of a 1,000 foot rubblestone terminal groin for beach erosion control and hurricane protection. Adverse impacts include termporarily increased water turbidity and disruption of benthic, plankton, and nekton communities during construction. (Savannah District)
(ELR ORDER # 50184)

Savannah Harbor Modification — 02/25

Georgia
County: Chatham
Proposed is the enlargement of the King's Island turning basin, the construction of a turning basin adjacent to Elba Island, and the incorporation of the Georgia Ports Authority LASH (Lighter Aboard Ship) turning basin adjacent to Cockspur Island for purposes of improved navigation and safety for Liquified Natural Gas tankers. Adverse impacts include increase in turbidity and water pollution, loss of aquatic and tidal wildlife habitat and the loss of 28 acres of buffer zone adjacent to the Savannah National Wildlife Refuge. (Savannah District)
(ELR ORDER # 50276)

Muscatine-Louisa Co. Flood Protection — 02/18

Iowa
County: Muscatine Louisa
The statement concerns a plan for flood protection for Muscatine and Louisa Counties, Iowa. The plan consists of raising 15.9 miles of existing levee to protect the project area against Mississippi River design flood (200-year frequency) construction of a new pumping station, modification of two railroad closure structures and a pumping station and associated improvements designed to provide drainage for 4,100 previously undrained acres. Adverse

impacts include loss of 55 acres of vegetation, disruption of benthic habitat due to dredging, and loss of 18 acres of cropland for the 3.8 mile ditch paralleling the levee.
(Rock Island District)
(ELR ORDER # 50236)

Holland Harbor, Mitigation of Shore Damage 02/03

Michigan
County: Ottawa
Proposed is the mitigation of shore damage attributed to the Federal navigation structures in the vicinity of Holland Harbor, on Lake Michigan. The plan entails the creation of a "feeder beach" on the south side of the harbor. Approximately 170,000 cubic yards of dredged material will be required for initial establishment, and 61,000 cubic yards annually. The dredging and disposition of sand will cause benthos damage and associated detraction in the recreational and aesthetic qualities of the area. (Detroit District)
(ELR ORDER # 50165)

Farmers Union Grain Terminal 02/03

Minnesota
County: Scott
The statement concerns application by the Farmers Union Grain Terminal Association for a permit to construct a barge slip adjacent to and in the Minnesota River at Savage, Minnesota. Approximately 100,000 cubic yards of material would be removed. In connection with the barge slip, a barge loading facility and grain elevator and service facility would also be constructed on 12.5 acres of the 55-acre site after the land ahs been elevated by fill. Construction of the proposed facility would adversely affect most of a 36-acre marsh and 2 acres of woodland.
(St. Paul District)
(ELR ORDER # 50163)

St. Johns Bayou and New Madrid Floodway 02/10

Missouri
County: New Madrid Scott Mississippi
The statement concerns a plan for floodcontrol and drainage to urban and rural areas in New Madrid, Scott, and Mississippi Counties, Missouri. Three pumping stations will be constructed and a total of 81 miles of channels enlarged by excavating from one side. A total of 4,900 acres will be flooded annually. Adverse impacts include deteriorated water quality, the clearing of 7,000 acres of woodlands, and elimination of a significant element of stream bank cover. (Memphis District)
(ELR ORDER # 50193)

Missouri River Levee System, Sarpy Co. 02/18

Nebraska
County: Sarpy
The statement concerns the construction of a levee 4.5 miles long for purposes of flood protection for 3,920 acres of land on the Iowa side of the Missouri River. Both dredge and borrow pits will be used to obtain fill material for the levee. The project will commit 125 acres to the levee and will result in a slight increase in potential damage within the minimum 3,000 foot floodway. (Omaha District) (31 pages)
(ELR ORDER # 50239)

Fuel Oil Storage Terminal Permit, Weehawken Cove 02/21

New Jersey
County: Hudson
The statement concerns the issuance of permits to Cosmopolitan Terminal, Inc. to construct a bulkhead, dredge, place fill, and construct pier facilities in the Hudson River at Weehawken Cove, for a bulk oil storage terminal. The project would result in the loss of 23 acres from the Hudson River estuary and public use of the waterfront, risk of fires and oil spills, air quality impact and construction disruption. (New York District)
(ELR ORDER # 50260)

New York Convention Center, Permit Application 02/18

New York
County: Manhattan
The statement refers to the issuance of a Department of the Army permit to construct a convention and exhibition center over open water supported on prestressed concrete and steel H-Beam piles in the Hudson River between 43rd and 47th Streets in the Bourough of Manhattan. The building will reach approximately 900 feet into the river along the riverfront. Traffic congestion before and after shows will contribute to air pollution. (New York District)
(ELR ORDER # 50233)

New York Harbor, Removal of Drift 02/20

New York
Proposed is the removal and disposal of an estimated 29.1 million cubic feet of material in the form of 1,972 derelict vessels, 149 deteriorated shore structures, plus debris from 182 repairable piers and wharves in New York Harbor and tributary waters. Several alternatives, including incineration, landfills, and recycling, are considered. Adverse impacts include turbidity, water pollution, and disruption of the benthic habitat. Air pollution would result if the incineration alternative is selected. (New York District) (113 pages)

(ELR ORDER # 50257)

Mount Morris Flood Control Project 02/25

New York
County: Livingston
The statement refers to the operation and maintenance of Mount Morris Dam, Lake, and Reservation. Activities include daily gage readings, periodic structural repair and landscaping, removal of floating and sunken debris and sediment. Approximately 40,000 cubic yards of sediment and debris requires removal at the present time. Adverse impacts include disruption of 2,850 acres of terrestrial habitat and water pollution from dredging activities. (Buffalo District)
(ELR ORDER # 50279)

Olcott Small Boat Harbor 02/25

New York
County: Niagara
The statement concerns small boat harbor improvements for recreation craft on southern Lake Ontario at the hamlet of Olcott. The proposed improvements would consist of arrowhead breakwaters, modification of the existing lake entrance navigation channel, and dredging an inner harbor navigation channel. Approximately 5.0 acres of benthic habitat would be disturbed and 2.2 acres would be eliminated. A 1.5 acre pond would be lost when the site is used for the disposal of polluted dredged materials. (Buffalo District)
(ELR ORDER # 50281)

Atlantic Intracoastal Waterway, N.C. 02/18

North Carolina
County: several
The statement concerns the removal of shoals from 308 miles of intracoastal waterway from the North Carolina-Virginia State Line to Little River, South Carolina during the coming 50-year project life. Dredging will cause temporary turbidity and water pollution, and disposal of dredged material will have adverse effects on disposal areas. (Wilmington District)
(ELR ORDER # 50222)

The Siuslaw and Umpqua Estuaries, Dredging 02/18

Oregon
County: Douglas Lane
The statement refers to maintenance dredging of the Siuslaw, Umpqua, and Smith Rivers. The Siuslaw River would be dredged to an 18-foot deep entrance channel, a 16 foot depth to Florence and 12 foot depth to Mapleton. The

Umpqua River would be dredged to a 26-foot deep entrance channel, a 22-foot depth to Reedsport and 2 miles upstream in Scholfield Creek. A 6-foot deep channel would be dredged from the mouth of the Smith River to the mouth of the North Fork. The project will cause a decrease in water quality and wildlife habitat loss on disposal land. (Portland District)
(ELR ORDER # 50229)

Coos Bay (Supplement) 02/24

Oregon
County: Coos
Proposed is the construction of a channel across the outer bar of Coos Bay 45 feet deep and 700 feet wide, reducing gradually to 35 feet deep and 300 feet wide, and a 15-mile long inner channel. The project also includes the enlarging of existing turning basins. Construction will involve blasting, dredging, and disposal of an estimated 8,550,000 cubic yards of material at sea, in-Bay, and on land. Construction disruption and disturbance of 125 acres of ocean and estuarine bottom area and 437 acres of land disposal area, would result. When the project is completed, the area will require about 1 to 2 months additional dredging time each dredging interval. (Portland )
(ELR ORDER # 50267)

Atlantic Intracoastal Waterway, S.C. 02/25

South Carolina Florida
Proposed is the annual maintenance dredging of the Atlantic Intracoastal Waterway from Port Royal Sound, S.C. to Cumberland Sound, Florida. Approximately one million cubic yards of shoal material will be removed from this 181-mile section of the Waterway to facilitate continued navigation. The disposal areas include 17 unconfined (marshland) sites, two diked areas, and four open water disposal areas. The project will result in temporarily increased water pollution and displacement of animal and bird species utilizing selected disposal areas. (Savannah District)
(ELR ORDER # 50273)

Aubrey Lake, Supplement 02/10

Texas
County: Cooke
The statement is a draft supplement to a final eis filed with CEQ March 4, 1974. The proposed action is the construction of Aubrey Lake for water supply, recreation, fish and wildlife. The project will require acquisition of approximately 42,000 acres and will inundate 90 miles of stream. Historical sites and archeological sites will be adversely affected, and families will be displaced.
(Fort Worth District)

(ELR ORDER # 50185)

Houston Ship Channel, Dredging 02/18

Texas
County: Galveston Chambers Harris
The statement is the revised draft of a draft eis submitted to CEQ December 29, 1971. Proposed is the maintenance dredging of shoaled material from the Houston ship Channel. The channel extends 50 miles from Bolivar Roads at the lower end of Galveston Bay, across Galveston Bay and through the lower reaches of the San Jacinto River and Buffalo Bayou to the Houston turning basin. Dredge materials will be placed in leveed land disposal areas and in open bay sites, resulting in increased pollution. The project will destroy benthic habitat of dredged areas.
(ELR ORDER # 50221)

Chincoteague Harbor of Refuge, Maintenance Dredging 02/10

Virginia
County: Accomack
Proposed is the maintenance dredging of Chincoteague Harbor of Refuge, Virginia. The estimated 8,000 cubic yards of shoaled material will be deposited in an upland diked disposal area adjacent to the harbor. The action will remove resident benthic organisms inhabiting the dredged areas. (15 pages)
(ELR ORDER # 50201)

Baker Lake Flood Control Project, Skagit Basin 02/20

Washington
County: Skagit Whatcom
The statement concerns the modification of the operation of the Upper Baker Dam to provide an additional 58,000 acre-feet of flood control storage by increasing the reservoir drawdown in the period 1 November to 15 November of each year. The additional flood storage capacity would be available until March 1. The project will cause net energy losses and may create a sense of false security toward the remaining flood hazard. (97 pages)
(ELR ORDER # 50256)

Lower Granite Project, Snake River 02/25

Washington Idaho
Proposed is the completion of a dam, generators, and navigation lock at river mile 107.5 on the Snake River, and operation of the Lower Granite project. The dam will have a power capacity of 810,000 kilowatts when all six generators are operational. The project also includes completion of highway, railroad, and utility relocations, beautification of the levees, and implementation of fish

and wildlife compensation measures. (Walla Walla District)
(ELR ORDER # 50277)

Final — Date

Haines Small Boat Harbor, Alaska — 02/13

Alaska
The project involves the construction of a rubblemound break water and the dredging of an entrance channel. The project will expand the present moorage of the Haines Small Boat Harbor for resident and transient fishing vessels, pleasure craft, and commercial vessels. There will be adverse impact to marine biota from dredging operations.
(Anchorage District)
COMMENTS MADE BY: DOI DOC EPA USDA DOT
state agencies
(ELR ORDER # 50217)

Homer Small Boat Harbor — 02/25

Alaska
Proposed is the maintenance dredging of the harbor to its authorized dimensions. There will be adverse impact to marine biota. (Anchorage District)
COMMENTS MADE BY: DOI DOC USCG EPA
state agencies
(ELR ORDER # 50272)

Duluth Superior Harbor, Minnesota and Wisconsin — 02/07

Minnesota Wisconsin
Proposed is the continued maintenance dredging of Duluth-Superior Harbor with disposal of spoil in diked disposal areas. There will also be some breakwater repair. Ninety acres of shoreline and shallow water would be committed to the disposal sites; there would be adverse impact to marine biota. (St. Paul District)
COMMENTS MADE BY: USDA DOC DOI USCG EPA
state agencies and organizations
(ELR ORDER # 50183)

Jones Inlet, Maintenance Dredging — 02/18

New York
County: Nassau
The project involves maintenance dredging of the Federal channel in Jones Inlet to its authorized project dimensions. Spoil disposal will be along nearby beaches to combat erosion, or in deep water off the inlet. The major adverse impact stems from the increased level of turbidity which will take place during the dredging process. This will have a temporary adverse impact on the fish and fish habitat. (New York District)

COMMENTS MADE BY: DOC DOD HEW DOI DOT EPA
one state agency
(ELR ORDER # 50225)

Commercial Dredging at Ross Island 02/04

Oregon
The project involves the continuation and expansion of the commercial dredging for sand and gravel in the Ross Island area on the Willamette River. As part of the project, a second permit application proposes the installation of a closure across the northeast entrance to the Ross Island lagoon. Adverse impacts include the loss of 92 acres covered with trees and undergrowth. With this loss there will be corresponding loss of habitat for terrestrial animals. There would be temporary increases in the turbidity of the east channel caused by dredging and the construction of the closure structure. (Portland District)

COMMENTS MADE BY: EPA USDA DOI HUD DOT HEW
(ELR ORDER # 50168)

Providence River Harbor Channel, Supplement 02/20

Rhode Island
The statement, a supplement to the final eis, submitted to the Council on October 17, 1973, refers to the change of a disposal area from the Brenton Reef Disposal Site to the Conimicut Point Disposal Site. (Waltham District)
COMMENTS MADE BY: DOI EPA
state agencies
(ELR ORDER # 50253)

Parker Creek, Maintenance Dredging 02/07

Virginia
The statement refers to the maintenance dredging of a chan-
40' wide and 5' deep from the mouth of Parker Creek to the Metomkin Bay Channel. An expected 30,000 cubic yards of spoil will be dredged by hydraulic pipeline and placed on Metomkin Island. The major adverse environmental impact is the removal and subsequent loss of organisms at the dredging site and disposal area. (43 pages)
COMMENTS MADE BY: EPA DOC DOI
state agencies
(ELR ORDER # 50182)

Starlings Creek Navigation Project, Virginia 02/18

Virginia
County: Accomacki
Proposed is the maintenance dredging of a navigation channel from Pocomoke Sound into Starlings Creek, where a turning basin will also be dredged. An estimated 55,000 cu. yds.

of bottom material will be removed, and deposited offshore along Saxis Island. Adverse impact would occur to marine biota. (Norfolk District)
COMMENTS MADE BY: EPA DOC DOI
Office of the Governor
(ELR ORDER # 50226)

Zintel Canyon Dam, Kennewick 02/20

Washington
The project consists of construction of a detention dam at the mouth of Zintel Canyon 2.8 miles upstream from the city of Kennewick. Also included in the project is a combination of buried conduit and improved channel from the intersection of West Seventh Avenue and Vancouver Street to State Highway 14. The project will help provide flood protection for a 90 acre section of Kennewick. Adverse impacts are loss of some vegetation, loss of recreational use behind the dam during water impoundment, and temporary construction disturbances to residents and traffic. (Walla Walla District)
COMMENTS MADE BY: DOI HUD EPA
state and local agencies
(ELR ORDER # 50252)

DEPARTMENT OF DEFENSE, Navy

Contact: Mr. Peter M. McDavitt
Special Assistant to the Assistant
Secretary of the Navy (Installations
and Logistics)
Washington D.C. 20350
(202) 697-0892

Final Date

Uniformed Services Univ. of Health Sciences 02/03

Maryland
County: Montgomery
The statement refers to the proposed development of the Uniformed Services University of the Health Sciences to be located on the grounds of the National Naval Medical Center, Bethesda, Maryland. The university will graduate a broad range of professional health care specialists including at least 100 physicians annually.
COMMENTS MADE BY: COE USDA EPA
state and local agencies
(ELR ORDER # 50161)

Norfolk Naval Station 02/11

Virginia
Proposed is the improvement and addition of naval ship berthing spaces at the station. Approximately 1,850,000 cu. yds. of spoil will be dredged; several additional piers will be constructed. There will be adverse impact from dredging.
COMMENTS MADE BY: EPA DOI USCG DOC COE DOD
Commonwealth of Virginia
(ELR ORDER # 50202)

ENERGY RESOURCES DEVELOPMENT ADMIN

Contact: Mr. W. Herbert Pennington
Office of Assistant General Manager
E-201, ERDA
Washington, D.C. 20545
(301) 973-4241

Draft | Date

Takomak Fusion Test Reactor Facilities | 02/04

New Jersey
County: Middlesex
The statement concerns the design and construction of the Takomak Fusion Test Reactor (TFTR) fusion device, the TFTR Experimental Facility which houses this new Tokamak system and the support facilities required to impement the TFTR experiment program. The proposed location is on the Forrestal Compus of Princeton University where similar controlled numclear fusion studies are being performed. Adverse impacts include release of trace quanitities of of radioactivity, limited icing or fogging from cooling towers and construction disruption.
(ELR ORDER # 50172)

ENVIRONMENTAL PROTECTION AGENCY

Contact: Mr. Sheldon Meyers
Director, Office of Federal Activities
Room 3630 Waterside Mall
Washington D.C. 20460
(202) 755-0940

Draft — Date

Federal Water Pollution Control Act, 204(b)(1) — 02/04

The statement concerns a proposed bill which would amend Section 204(b)(1) of the Federal Water Pollution Control Act, as amended, to permit construction grant applicants to utilize a system based upon ad valorem taxation for charging fees to users of the treatment works. The proposed amendment would slightly diminish incentive to encourage water conservation by domestic and low volume users, but would meet the purposes of the present statute in other respects and would avoid disruption of change from this method.
(ELR ORDER # 50169)

Federal Water Pollution Control Act, 307(a) — 02/04

The statement concerns the bill that would amend Subsection 307(a) of the Federal Water Pollution Control Act. The bill would amend 307(a) to allow the Administrator to approve the extension of the compliance deadline to the earliest date compliance is feasible, but not to exceed three years from the date of promulgation of the standard, when there has been a demonstration that it is technologically infeasible to achieve compliance within one year from promulgation; and to repeal the time requirement that a public hearing be held within 30 days after the standard is proposed. The proposed amendment would sanction continued discharge by some sources for up to 2 additional years.
(ELR ORDER # 50170)

Sacramento Regional Wastewater Management Program — 02/04

California
County: Sacramento Yolo
Proposed is a regional wastewater program which would provide for a regionwide interceptor system to deliver raw wastes to a single advanced waste treatment plant located south of the City at the site of the existing County Central Treatment Plant and a disposal system that transports treated effluent to the Sacramento River for discharge near Freeport via a multiport diffuser system. Construction disruption and increased use of energy in the process of conveyance, treatment, and disposal will result.
(ELR ORDER # 50171)

Aliso Water Management Agency Project 02/05

California
County: Orange
Proposed is the implementation of a local or regional wastewater treatment and disposal system to elimintae various systems and prevent future problems. The applicant is considering two alternatives: a regional system with central treatment and ocean disposal of most wastes and a regional disposal system with local treatment. Construction disruption and occasional objectionable odors will result.
(ELR ORDER # 50174)

O'Hare Wastewater Conveyance System 02/28

Illinois
County: Cook
The statement concerns a system of conveyance tunnels and drop shafts to intercept and convey wastewater from a 58.2 square mile service area in the Northwest region of the Metropolitan Sanitary District of Greater Chicago to the proposed O'Hare Water Reclamation Plant. Occasional exfiltration into groundwater aquifers might occur, and a groundwater well monitoring program is planned to discover any problems which may develop.
(ELR ORDER # 50286)

O'Hare Water Reclamation Plant 02/28

Illinois
County: Cook
Proposed is the construction of the O'Hare Water Reclamation Plant for the O'Hare Service Area. The plant will treat sewage in a two stage process, discharging effluent into Higgins Creek. Process solids remaining would be transported via a pipeline to the MSDGC Salt Creek Water Reclamation Plant for further treatment. Occasional odors and temporary construction disruption will result.
(ELR ORDER # 50287)

Final Date

Northwest Sewage Facility, Houston, Texas 02/12

Texas
County: Harris
Proposed is the granting of Federal funds to the City of Houston for the enlargement of wastewater treatment facilities at the Northwest Wastewater Treatment Facility Site from the existing 4 mgd. capacity to 12 mgd. The enlarged plant will provide secondary biological treatment capable of serving the 1990 estimated population of 90,000 persons. Sludge will be conveyed to the Northwest Regional Sludge Treatment Plant

where it will be processed for use as fertilizer. Adverse impacts of the action include increases in noise levels and occasional odors.
COMMENTS MADE BY: COE DOT USDA HEW HUD DOI
state agencies
(ELR ORDER # 50209)

FEDERAL POWER COMMISSION

Contact: Dr. Richard P. Hill
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441 G Street, N.W.
Washington, D.C. 20426
(202) 386-6084

Draft | Date

Middle Snake River Project | 02/18

Oregon Idaho Washington
The statement concerns the application of the Pacific Northwest Power Company and the Washington Public Power Supply System for a major license for construction, operation, and maintenance of the Middle Snake River Project. The applicants are considering three alternatives, each of which would provide for the combination of two dams and appurtenant facilities and would inundate from 50 to 75 miles of the Snake River, flooding significant portions of one of the largest canyons in the world and its archeological remains. The average annual generation would range from 5,072 mwh to 6,990,480 mwh.
(ELR ORDER # 50224)

GENERAL SERVICES ADMINISTRATION

Contact: Mr. Andrew E. Kauders
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18th and F Streets, N.W.
Washington, D.C. 20405
(202) 343-4161

Draft — Date

Soviet Embassy Complex — 02/14

District of Co
Proposed is the construction of the five-building Soviet Embassy Complex on a 12.5-acre site in the Glover Park Neighborhood of Northwest Washington, D.C. The project is part of a bilateral agreement between the U.S. and U.S.S.R. providing for the reciprocal exchange of 85-year leasehold interests for embassy sites in both Washington and Moscow. Construction and associated disruption are expected to occur continuously over a 32-month period.
(ELR ORDER # 50219)

US Courthouse and Federal Building — 02/20

Florida
County: Broward
Proposed is the construction of a Federal Buildng and Courthouse with parking facility in Fort Lauderdale, Florida. The cost of the project, including site acquisition, design, construction, and inspection will be about $19.1 million. The site has not yet been selected. The project will provide a total area of 218,295 square feet. Construction disruption will result.
(ELR ORDER # 50255)

Border Patrol Sector Headquarters, Marfa, Texas — 02/25

Texas
County: Presido
Proposed is the construction of a 4-building, 29,000 square foot complex to house the operation of the Border Patrol, a branch of the Immigration and Naturalization Service. The complex will include facilities for vehicle repair and storage and a parking lot for 35 vehicles. The existing buildings on the 8.2-acre site will be used until completion of the new facility, and them removed. Construction distruption will result.
(ELR ORDER # 50275)

Drug Enforcement Administration Lease Facility — 02/28

Texas
County: Dallas

The action proposes the lease construction of a facility for sole occupancy by the Drug Enforcement Administration, an agency of the US Department of Justice. Although no site has been selected, the most favorable location would be in a 14 sq. mile area just North of the Dallas Central Business District encompassing Love Field. The building will supply 51,500 square feet of space, including office space, a laboratory, fire-arms range, and a helicopter landing pad.
(ELR ORDER # 50288)

Final — Date

Border Station Building, Lukeville, Arizona — 02/21

Arizona
County: Pima
Proposed is the construction of a new Border Station Building of 10,000 sq. ft., with inspection areas, canopies, a small commercial truck facility, and ten family residential units. Existing facilities would be demolished.
COMMENTS MADE BY: AHP EPA USDA COE HEW DOI DLAB DOT DJUS TREA state agencies
(ELR ORDER # 50251)

Federal Office Building, Pittsfield, Mass. — 02/18

Massachusetts
County: Berkshire
Proposed is the construction of a 27,000 square foot Federal Office Building in Pittsfield. The building will be constructed on an urban renewal site of 47,500 sq. ft. There will be temporary construction disruption as a result of the action.
COMMENTS MADE BY: DOI AHP DOC DLAB USDA HUD HEW EPA state and local agencies
(ELR ORDER # 50237)

Federal Youth Center, Memphis — 02/07

Tennessee
County: Shelby
The proposed action calls for construction of a Federal Youth Center in Memphis, Shelby County to be operated by the FBI. The Center will provide correctional treatment programs for Federal offenders from the Memphis and surround ing area. The Youth Center will contain a gross area of 165,000 sq. ft. in approximately 14 rectangular shaped build ings. There will be short-term inconveniences associated with normal construction activities.
(100 pages)
COMMENTS MADE BY: USDA HEW HUD DOI FPC EPA DOT one state agency
(ELR ORDER # 50179)

## DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun
Acting Director, Office of Environmental Quality
Room 7206
451 7th Street, S.W.
Washington, D.C. 20410
(202) 755-6295

**Draft** **Date**

**Dade County Neighborhood Development Program** **02/03**

Florida
County: Dade
The statement concerns a Neighborhood Development Program currently in the fifth year of execution proposing urban renewal in eight areas of Dade County: Seminola, Edison Park, Central NDP Area, Coconut Grove, South Miami Area, Perrine, Goulds, and The Model City Area. Relocation of families and individuals is largely accomplished. There will be construction disruption. (8 volumes)
(ELR ORDER # 50167)

**Downtown East Urban Renewal, Reading** **02/11**

Pennsylvania
County: Berks
The statement concerns an urban renewal project in 44.53 acres of the central business district of Reading, Pennsylvania. The project includes destruction of 292 structures and construction of new residential and commercial buildings. A 2-story shopping mall and parking structures are planned. Seventy-nine families and 132 businesses will be displaced.
(ELR ORDER # 50205)

**Final** **Date**

**Cedar - Riverside New Community, Minneapolis** **02/10**

Minnesota
County: Hennepin
Proposed is the approval of Stage II housing in the New Community of Cedar - Riverside. HUD has guaranteed loans up to $24 million for the development. The new community will occupy 100 acres within a 336 acre Urban Renewal Area of Minneapolis. Adverse impacts include increased air and noise pollution, and increased generation of solid waste.
COMMENTS MADE BY: DOC DOI HEW DOT COE AHP AEC EPA
state and local agencies
and concerned citizens
(ELR ORDER # 50199)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard
Director, Environmental Project Review
Room 7260
Department of the Interior
Washington, D.C. 20240
(202) 343-3891

Final — Date

Proposed Porcupine National Forest — 02/18

Alaska
The statement refers to the proposed designation of 5.5 million acres of public lands as the Porcupine National Forest, and of portions of the Sheenjek and Porcupine Rivers as components of the Wild and Scenic Rivers System. The overall impact of the action will be the protection, conservation, and management of the area's renewable surface resources, with mineral extraction permitted under existing laws. Adverse impacts may include a reduction in wildlife habitat productivity, and disturbances to air, water, and scenic qualities. Mineral extraction will lead to depletion of those resources. (672 pages)
COMMENTS MADE BY: USDA DOD DOC EPA DOT DOI
state and local agencies
(ELR ORDER # 50240)

Proposed Yukon - Kiskokwim National Forest — 02/18

Alaska
The statement refers to the proposed legislative designation of 7.3 million acres of public lands as the Yukon Kuskowim National Forest, to be managed by all the laws, rules, and regulations applicable to the National Forest System; and to the designation of portions of the Nowitna River as components of the Wild and Scenic Rivers System. The overall impact of the action is the protection, conservation, and management of the area's renewable surface resources, with mineral extraction permitted under existing laws. (673 pages)
COMMENTS MADE BY: USDA DOD DOC EPA DPT DPI
state agencies and organizations
(ELR ORDER # 50243)

Proposed Wrangell Mountains National Forest — 02/18

Alaska
The statement refers to the proposed congressional designation of 5.5 million acres of public lands as the Wrangell Mountains National Forest, and the Bremner River as a component of the Wild and Scenic River System. The overall impact of the action is that of the protection, conservation, and management of the area's renewable surface resources, with mineral extractions permitted

under present laws. (713 pages)
COMMENTS MADE BY: USDA DOD DOC EPA DOT
state agencies and organizations
(ELR ORDER # 50246)

Bureau of Land Management

Draft — Date

OCS Leasing, Offshore Southern California — 02/20

California
The statement concerns the proposed leasing of 297 tracts (1,554,815 acres) of Outer Continental Shelf lands in five general areas offshore Southern California. The sale, scheduled tentatively for the summer of 1975, would lease tracts from 5 meters to 750 meters in depth. All tracts offered pose pollution risk to the environment through accidental and chronic oil spillage. Also, platform development, if permitted, will cause degradation of the visual environment. (4 volumes)
(ELR ORDER # 50259)

Sigurd to Cedar City Power Transmission Line — 02/06

Utah
County: several
Proposed is the construction of a 230 KV transmission line from Utah Power and Light Company's Sigurd substation to Cedar City, Utah. Four alternative corridors, each over 100 miles long, are considered. Adverse impacts include electronic interference, right-of-way clearing, wildlife disturbance, weed infestations, and increased fire hazards. (161 pages)
(ELR ORDER # 50178)

Bonneville Power Administration

Draft — Date

Satsop Integrating Transmission, (Supplement) — 02/27

Washington
County: Thurston Lewis Grays Harbor
The statement is a draft supplement concerning facility location evaluations on the proposal for Satsop Integrating Transmission. Six alternative route locations are considered. Depending upon the final route chosen, between 62 and 73 miles of 500-kV transmission line between the proposed Satsop Substation and Olympia and Paul Substation over existing, parallel, and new right-of-way would be required. The project would clear from 560 to 1,180 acres of timber and remove from production .25 to 4 acres of agricultural land. In addition, approximately 30 acres of land would be required for the substation.

(ELR ORDER # 50284)

Bureau of Reclamation

Draft — Date

San Pelipe Division, Central Valley Project — 02/19

California
County: Santa Clara San Benito
Proposed is the construction and operation of the San Pelipe Division facilities to provide about 200,000 acre-feet of supplemental municipal, industrial, and irrigation water to 18,000 acres of Santa Clara and San Benito Counties. The division facilities will require about 850 acres of land and will import water from the Central Valley through a tunnel and distribute it through a system of open and closed conduits and relief pumping plants. Some 21 archeological sites might be affected, and the natural landscape altered by construction. During the fall and winter the 150 acre San Justo Reservoir will be devoid of both water and vegetation.
(ELR ORDER # 50249)

Final — Date

Elwood Dam and Reservoir — 02/18

Nebraska
County: Gosper
Proposed is the construction of Elwood Dam (including saddle dams) and Reservoir which will provide a 40,500 acre-foot pump storage conservation capacity reservoir and a 9,600 acre-foot flood storage capacity. The reservoir would supply irrigation water for 42,800 acres of land. The project will require the acquisition of 1,930 acres of private pasture grassland and will inundate 1,180 acres and one mile of stream. Other construction includes enlargement of 27 miles of main canal, enlargement or replacement of 30 canal structures, and lining 170 miles of canal.
COMMENTS MADE BY: DOI AHP USDA HUD HEW USCG
state and local agencies
(ELR ORDER # 50232)

Bureau of Sports Fisheries and Wildlife

Draft — Date

Sport Hunting of Migratory Birds, Regulations — 02/10

The statement concerns a proposal recommending that annual regulations continue to be issued permitting and regulating the sport hunting of migratory birds throughout the United States. The proposal protects the birds from indiscriminate hunting. Adverse impacts include annual reductions

in populations, occasional killing of endangered and other non-target species, littering, and some destruction of vegetation.
(ELR ORDER # 50196)

Injurious Wildlife Importation Regulations 02/19

The statement concerns the establishment of lists of wildlife species that pose a low risk of injury to human beings, the interests of agriculture, horticulture, forestry, or to wildlife or wildlife resources when imported into the United States. Animals other than these may be imported only under permit. Economic impacts would be suffered by importers. (78 pages)
(ELR ORDER # 50250)

Final Date

Featherstone National Wildlife Refuge 02/10

Virginia
County: Prince William
The proposed project is the acquisition of 313 acres known as the Featherstone Marsh to be established as the Featherstone National Wildlife Refuge. Management on the Refuge would be restricted to retaining the natural integrity of the marsh and upland areas. Principal adverse impact of the proposal would be removal of the land from potential private use and development. (76 pages)
COMMENTS MADE BY: USDA DOI EPA
one state agency
(ELR ORDER # 50197)

National Park Service

Final Date

Proposed Lake Clark National Park 02/18

Alaska
The statement refers to the proposed designation of 2.4 million acres of land and waters in the Aleutian and Alaskan Mountain Ranges, about 100 miles east of Anchorage, as Lake Clark National Park. Also included is conceptual master plan for park management. The proposal may affect the integrity of the ecosystems and landscapes within the proposed boundaries, including an area from which a significant portion of the State's multi-million dollar sockeye salmon harvest is derived. (709 pages)
COMMENTS MADE BY: USDA DOC COE HEW HUD DOI DOT EPA GSA
state and local agencies
and organizations
(ELR ORDER # 50241)

Proposed Harding Icefield-Kenai Fjords N.M. 02/18

Alaska
The statement refers to the proposed legislative designation of 305,000 acres of land and water on the south coast of the Kenai Penisula as the Harding Icefield-Kenai Fjords National Monument, and the legislative recognition of 460,000 acres as an Area of Ecological Concern (AEC). Also proposed is a conceptual master plan to guide the management of the area. (618 pages)
COMMENTS MADE BY: USDA DOC COE HEW HUD DOI DOT EPA GSA
state and local agencies
and organizations
(ELR ORDER # 50242)

Proposed Wrangell-St. Elias National Park 02/18

Alaska
The statement refers to the proposed Congressional establishment of an 8.5 million acre Wrangell-St. Elias National Park in South-central Alaska. The action may affect: the integrity of the eco-systems within the Park's boundaries; the effectiveness of the Park's use as a standard against which man-caused changes in manipulated ecosystems can be measured; the regional economy, from increased visitation and decreased opportunity for the use of resources; the national culture, from scenic-wilderness experiences; and the national economy, from restriction of potential copper production. (764 pages)
COMMENTS MADE BY: DOI DOT USDA COE
state and local agencies
and organizations
(ELR ORDER # 50244)

Proposed Kobuk Valley National Monument 02/18

Alaska
Proposed is the Congressional designation of lands and waters of the public domain as the Kobuk Valley National Monument; and of the Salmon River as a Wild River under the Wild and Scenic Rivers Act. Also proposed is a master plan for administration of the areas. Impact of the proposal may occur to: the integrity of the ecosystem; subsistence use of the area by the Natives; commercial uses such as fishing, mineral entry, geothermal power, tourism, communications, and transportation, and the socio-economic and cultural environment of the area resulting from visitor use. (626 pages)
COMMENTS MADE BY: USDA DOC COE DOI DOT EPA
state and local agencies
and organizations
(ELR ORDER # 50245)

Proposed Chukchi-Imuruk National Wildlands 02/18

Alaska
The statement refers to the proposed Congressional establishment of a 2,708,034 acre Chukchi-Imurk National Wildlands on the Seward Penisula of Alaska. The Wildlands will be jointly administered as a unit of the National Wildlife Refuge System, and the National Park System. Impacts of the action will occur to private land ownership, fish and wildlife, water, vegetation, historic and archeological values, agriculture, mining, timbering, navigation, and hydroelectrical potential, among others.
(763 pages)
COMMENTS MADE BY: DOI DOT USDA COE DOC EPA
one state agency and one other agency
(ELR ORDER # 50247)

NATIONAL AERONAUTICS AND SPACE ADMIN.

Contact: Mr. Nathaniel Cohen
Director, Office of Policy Analysis
National Aeronautics and Space Administration
400 Maryland Avenue
(202) 755-8433

Final — Date

Viking 1975 Program — 02/27

The statement refers to the Viking Program, which is part of an overall NASA program designed to explore the planet Mars with automated spacecraft. In 1975 two Viking spacecraft, with Lander Capsule and Orbiter, will be launched from the Air Force Eastern Test Range by Titan/Centaur vehicles, to conduct orbital, upper atmospheric, and surface investigation of Mars.
COMMENTS MADE BY: AEC DOD EPA STAT
State of Florida
(ELR ORDER # 50283)

NUCLEAR REGULATORY COMMISSION

Contact: Mr. A. Giambusso, Director of Division
of Reactor Licencing
P-722, NRC
Washington, D.C. 20545
(301) 973-7373

Draft — Date

Jamesport Nuclear Power Station, Units 1 and 2 — 02/05

New York
County: Suffolk
Proposed is the issuance of permits to the Long Island LIghting Company for the construction of the Jamestown Nuclear Power Station, Units 1 and 2, located on Long Island Sound. The plant will employ two indentical pressurized-water reactors to produce up to 3425 MWt each. Two steam turbine-generators will use this heat to provide 1150 MWe(net) of electrical power capacity from each turbine-generator. Ad design power level of 3579 MWt (1250 MWe net) for each unit is anticipated in the future. The waste heat will be rejected by a once-through flow of water obtained from and discharged to the Long Island Sound. The cooling system will kill fish and organisms.
(ELR ORDER # 50176)

Davis-Besse Nuclear Power Sta., 2 & 3 — 02/14

Ohio
County: Ottawa
The proposed action is the issuance of construction permits to the Toledo Edison Company for the construction of the Davis-Besse Nuclear Power Station Units 2 and 3. The station will employ identical pressurized-water reactors to produce 2772 megawatts thermal (MWt) each. A steam turbine generator will use this heat to provide about 906 MWe(net) of electirc power capacity. A cooling tower will be constructed which will obtain water from and discharge it to Lake Erie. The project will require the change of about 100 acres from agricultural to industrial use.
(ELR ORDER # 50218)

Washington Nuclear Projects 3 and 5 — 02/12

Washington
County: Grays Harbor
The proposed action is the issuance of construction permits to the Washington Public Power Supply System for the construction of Washington Nuclear Projects 3 and 5. The station will employ a pressurized water reactor to produce up to 3800 megawatts thermal (MWt) and a steam turbine generator will use this heat to provide 1240 MWe (net) of electrical power capacity. Water for cooling will be obtained from and discharged to the Chehalis River.

Twelve thousand feet of transmission line will also be constructed. The project will require the disturbance of about 300 acres of the 2170-acre forested site.
(ELR ORDER # 50208)

Final — Date

Indian Point Station, Unit 3 — 02/27

New York
County: Westchester
Proposed is the issuance of an operating license to the Consolidated Edison Company for Unit 3 of the Station. The Unit will employ a pressurized water reactor to produce 3,025 MWt and 965 MWe (net); future levels of 3,216 MWt and 1,033 MWe are anticipated. Exhaust steam will be condensed by a once-through flow of water from the Hudson River. The statement considers the environmental impact from simultaneous operation of all three units of the station.
(two volumes)
COMMENTS MADE BY: USDA DOC HEW DOI DOT EPA FPC
state and local agencies
and concerned citizens
(ELR ORDER # 50285)

## DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director
Office of Environmental Affairs
400 7th Street, S.W.
Washington, D.C. 20590
(202) 426-4357

### Federal Aviation Administration

Final — Date

**Boston-Logan International Airport** — 02/25

Massachusetts
County: Suffolk
The proposed project entails the construction of a new runway 15-33, 100' x 3,830'; extension of runway 9, 150' x 1,855'; extension of runway 4L, 150' x 2,020', with associated taxiways, lighting and marking. The improvements will be located on the existing Bird Island Flats. Increases in air and noise pollution will occur.
(approximately 300 pages)
COMMENTS MADE BY: USDA AEC DOI EPA HUD
state and local agencies
(ELR ORDER # 50280)

**Seattle-Tacoma International Airport** — 02/19

Washington
County: King
Proposed is the acquisition of 317 acres of land adjacent to the Seattle-Tacoma International Airport, in order to comply with FAA land use compatibility recommendations. The action will result in the displacement of 700 families and the closure of two schools, necessitating economic and social readjustments.
COMMENTS MADE BY: EPA DOI COE
state and local agencies
(ELR ORDER # 50248)

### Federal Highway Administration

Draft — Date

**U.S. 90 (S.R. 10-Duval Street), Lake City** — 02/18

Florida
County: Columbia
Proposed is the improvement of a 2.0 mile section of U.S. 90 (S.R. 10 - Duval Street) in Lake City, Florida from a 2-lane to a 4-lane facility. The improvement will be along the existing corridor, and will increase noise pollution and temporarily increase water pollution. The number of displaced families and businesses varies with alternative. (105 pages)

(ELR ORDER # 50228)

561 North-South Facility and U.S. 61-Bypass 02/24

Iowa
County: Scott
Proposed is the addition of traffic facilities in the 5.5 mile north-south corridor and the 4.5 mile east-west corridors of Davenport, Iowa, which are now served by U.S. 61 and other local streets. The major environmental impacts are displacement of families and businesses, possible acquisition of publicly-owned parks, and possible displacement of historical sites, depending upon the alternative selected. A 4(f) statement is included.
(182 pages)
(ELR ORDER # 50269)

SR 54, Owensboro 02/13

Kentucky
County: Davies
Proposed is the widening of a 1.1 mile segment of S.R. 54-Leitchfield Road to four lanes. The project runs from the Owensboro Beltline (S.R. 212) to Twelfth Street east of the existing alignment. Adverse impacts include displacement of ten families and construction disruptions. (111 pages)
(ELR ORDER # 50213)

Railroad Relocation Demonstration Project 02/24

Nevada
County: Elko
Proposed is the relocation and consolidation of 5.4 miles of main line Southern Pacific and Western Pacific track from the downtown area of Elko, Nevada. This demonstration railway-road grade crossing elimination project will require approximately 46 acres of land, displacing from 65 to 115 families and from 13 to 24 commercial units, depending upon the alternative selected.
(ELR ORDER # 50263)

S.R. 9 By-pass, Keene 02/10

New Hampshire
County: Cheshire
Proposed is the construction of a 2.8 mile, 2-lane section of New Hampshire Route 9 By-pass from SR 12 By-pass to approximately 1700 feet east of the junction of SR 9 and SR 10. Plans for future expansion to four lanes are included. Acquisition of 185 acres of land, including nine residences and one business and 2.0 acres of park land, is required for the project. A 4(f) statement is included.
(ELR ORDER # 50198)

SR 242, Powers Highway 02/13

Oregon
County: Coos
Proposed is the reconstruction of segments of SR 242, Powers Highway, from Powers to the Coos Bay-Roseburg Highway, a distance of 18 miles. The eastern alternative utilizes the present highway corridor and the western alternative, the quicker, more direct path of the two, would utilize an abandoned railroad right-of-way and would require bridge structures. The number of displacements depends upon the alternative chosen.
(ELR ORDER # 50214)

I-205, to Portland, Oregon 02/13

Oregon Washington
Proposed is the construction of a 9.2-mile section of I-205 from the Lewis and Clark Highway in Clark County Washington to SE Foster Road in Multnomah County/Portland, Oregon. The project is the uncompleted part of 36 miles of I-205; the right-of-way has largely been acquired and cleared. Two bridges and a fill are required to cross Columbia River. A 4(f) statement is included. Eleven businesses and 24 housing units are left to be cleared.
(ELR ORDER # 50215)

Beltway 8-North, Subsection I 02/03

Texas
County: Harris
Proposed is the construction of an 8.5 mile segment of Beltway 8, North from I.H. 45 to U.S. 59 as part of a planned 87.5 mile circumferential route around Metropolitan Houston. The project will provide a full controlled access facility with a minimum of 8 main lanes flanked by two, three lane-one way continuous frontage roads. The project will displace 11 dwellings and 6 businesses and is expected to accelerate urban growth.
(ELR ORDER # 50164)

SR 525, Swamp Creek Interchange to SR 99 02/13

Washington
County: Snohomish
Proposed is the construction of a 3.2 mile segment of the Swamp Creek Interchange (I-5, I-405) to SR 99 where it will connect with existing SR 525 westerly. The highway will be a 4-lane controlled-access facility and will have a significant impact on community growth. The project will displace 42 families.
(ELR ORDER # 50210)

Final Date

Alabama 67, Morgan County 02/24

Alabama
County: Morgan
Proposed is the reconstruction of 9.4 miles of Alabama 67 east of Decatur from two to four lanes. Adverse impact will include the displacement of 4 businesses and 10 families, and the temporary increases of air and noise pollution levels during construction.
(66 pages)
COMMENTS MADE BY: HUD DOT USDA TVA DOI HEW EPA COE
state agencies
(ELR ORDER # 50264)

US 119-Appalachian Corridor G 02/10

Kentucky West Virginia
The statement refers to the proposed improvement of a segment of US 119 in Pike County, Kentucky and Mingo County, West Virginia within Appalachian Corridor G. The project will extend from the Harmey Street Bridge in South Williamson, Kentucky, to Route 14 near Goatman, West Virginia, a distance of approximately 2.45 miles. Nine businesses, 83 families and 1 non-profit organization will be displaced. Coal seams of marketable value may be opened due to construction cuts. (6 pages)
(ELR ORDER # 50192)

SR 67, Clinton-Mississippi State Line Highway 02/18

Louisiana
County: East Feliciana
The proposed project consists of upgrading an 11.6 mile segment of State Route LA 67 along the existing alignment. The project begins at the intersection of St. Helena Street and State Route LA 67 in the City of Clinton and terminates at the Louisiana-Mississippi State line. Acquisition of additional right-of-way will result in the displacement of two families and four businesses.
(ELR ORDER # 50234)

M 99, (Logan Street), Lansing 02/10

Michigan
County: Ingham
Proposed is the reconstruction of 1.8 miles of Logan Street, from Victor Street to Kalamazoo Street, in Lansing. A small amount of section 4(f) land will be acquired from Riverside Park; several families will be displaced.
COMMENTS MADE BY: CEQ DOI USDA EPA USCG DOT
(ELR ORDER # 50194)

I-35 Interchange 02/18

Minnesota
County: Steele
The project involves the addition of an interchange to Interstate 35 west of Owatonna. The interchange is to provide freeway access to Bridge Street, which leads directly to an industrial park and the Owatonna Central Business District. Detrimental impacts are increased traffic, noise, and air pollution and the commitment of from 20 to 30 acres to the project. (73 pages)
COMMENTS MADE BY: DOI EPA USDA COE
state agencies
(ELR ORDER # 50230)

Yazoo City Bypass, U.S. 49W 02/10

Mississippi
County: Yazoo
The project consists of relocating approximately 3.8 miles of U.S. 49W from its junction with Mississippi Highway No. 3 in a southeasterly direction to a junction with Miss. Highway No. 16, Highway No. 49E, and U.S. 49. The project directly affects the town of Yazoo City in that it will provide a bypass route to the south of that city. Adverse impacts are increased air, noise, and water pollution due to construction, and the displacement of 19 families and one business. (95 pages)
COMMENTS MADE BY: DOI EPA HUD USDA
state agencies
(ELR ORDER # 50200)

Helena-West (US 12) 02/18

Montana
County: Lewis and Clark
Proposed is the improvement of 6.0 miles of U.S. 12 immediately west of Helena, Montana. Although right-of-way for a 4-lane highway would be purchased for the entire project, the 3.8 mile rural section would be 2-lane. A 46-foot median would separate the lanes, and a bicycle and horse path is being considered. The project would require 115 acres of land.
COMMENTS MADE BY: USDA EPA DOI
state and local agencies
(ELR ORDER # 50223)

U.S. 29 Improvement 02/11

North Carolina
County: Rockingham Caswell
Proposed is the improvement of a 7.4 mile segment of U.S. 29 from the U.S. 29-S.R. 1767 interchange in Rockingham County through Caswell County to the Virginia State Line. The project would widen U.S. 29 to two 24-foot roadways separated by a 68 foot median and would require 200 acres of woodlands and farm land for right-of-way. Twelve families and three businesses will be displaced.
(41 pages)
COMMENTS MADE BY: USDA COE EPA FPC GSA HUD DOI
state agencies
(ELR ORDER # 50206)

Inner Belt Loop, Charlotte 02/24

North Carolina
County: Mecklenburg
The project proposes to provide a four-lane thoroughfare in the southeastern quadrant of the Charlotte urban area. The facility,which will extend from York Road (NC 49) to Central Avenue, is approximately 8.4 miles in length. Adverse impacts include acquisition of right-of-way, displacement of 9 families, loss of aesthetic quality by tree removal and erosion and siltation.
COMMENTS MADE BY: USDA COE EPA FPC GSA HEW DOI AHP
state and local agencies
(ELR ORDER # 50268)

Mountrail County Road 02/05

North Dakota

County: Mountrail
The project consists of improving a Mountrail County road from White Earth South to US Highway 2. The improvement involves grading to current standards and the placement of a bituminous surface. Adverse impacts are the use of 6.35 acres of 4(f) land. Of this 3 acres must be completely cleared of shrubs and trees. There will be a temporary rise in air pollution during construction.
COMMENTS MADE BY: DOI HUD USDA EPA DOT
state and local agencies
(ELR ORDER # 50175)

County Road, Bottineau County 02/20

North Dakota
County: Bottineau
The statement refers to a improvement of a county road in Bottineau County. The project runs from S.H. 14, four miles north of Carbury, easterly approximately 10 miles to a point near the south edge of Lake Metigoshe. The proposed route follows the existing road except for relocations that are necessary to provide curvature meeting present standards. Adverse impacts are increases in the levels of air and noise pollution, and negative effects normally associated with construction.
COMMENTS MADE BY: DOI EPA USDA COE
state agencies
(ELR ORDER # 50254)

US 278, Beaufort County 02/03

South Carolina
County: Beaufort
The statement refers to the proposed construction of US 278, beginning at S.C. Rte. 46 and terminating 0.3 miles southeast of Skull Creek in Beaufort County, a distance of approximately 5.7 miles. Adverse impacts include temporary siltation and water turbidity, disruption of marshland, and 2 families.
COMMENTS MADE BY: DOI EPA
state and local agencies
(ELR ORDER # 50166)

Loop 427, Williamson County 02/03

Texas
County: Williamson
The statement refers to the extension of Loop 427 in Williamson County. The project begins at the intersection of Loop 427 and Lake Drive and terminates at the intersection of Loop 427 and U.S. 79 in the city of Taylor. The project length is 5.6 miles. Adverse impacts include increased air, and water pollution due to construction, and the displacement of approximately 8 families and 3 businesses.
(89 pages)

COMMENTS MADE BY: DOT HEW COE USDA DOI EPA
state and local agencies
(ELR ORDER # 50159)

Madison Street Underpass, Eau Claire 02/25

Wisconsin
County: Eau Claire
The project involves construction of a railroad grade separation structure and associated street reconstruction in the City of Eau Claire. Adverse impacts include the removal of 21 buildings, acquisition of 2 to 3 acres of land, removal of 200 to 300 trees, displacement of 19 families and 4 businesses, and temporarily increased noise levels due to construction. (75 pages)
COMMENTS MADE BY: DOI EPA
state agencies
(ELR ORDER # 50278)

U.S.Coast Guard

Draft Date

Gulf LORAN-C Project 02/10

The statement concerns the expansion of the LORAN-C (Long Range Aid to Navigation) coverage to include the harbors, esturaries, and the Coastal Confluence Zone of the Gulf of Mexico. This expansion of coverage will require the construction and operation of three transmitting stations at Malone, Florida, Grangeville, Louisiana, and Raymondville, Texas. Adverse impacts include the conversion of forest to pastureland at the Grangeville site and construction disruption.
(ELR ORDER # 50186)

New London Station 02/06

Connecticut
County: New London
The Coast Guard is planning to develop approximately 24 acres of land just north of the existing Coast Guard Academy to house the Coast Guard Research and Development Center and the moorings and maintenance facilities for Station New London, as well as support facilities for those units and the Academy. Approximately 190,000 cubic yards of dredge material will be deposited at a dump site in Long Island Sound. Construction disruption and water turbidity will result from the project.
(ELR ORDER # 50177)

Final Date

Prince William Sound Vessel Traffic System 02/11

Alaska
Proposed is the development of a vessel traffic system for Prince William Sound. Included in the proposal is the construction of a control center, and housing for 45 Coast Guard personnel and their dependents. The traffic system is designed to lessen the probability of tanker casualties with resulting spills of crude oil when the Valdez crude oil loading terminal becomes operational.
(73 pages)
COMMENTS MADE BY: EPA COE USDA DOI DOT
state and local agencies
(ELR ORDER # 50204)

New York Vessel Traffic System 02/10

New York
County: several
The statement refers to a proposed system which will cover the geographic areas comprising the Port of New York, the Hudson River to Albany, and Long Island Sound to the west of Block Island, Rhode Island. The system will consist of a combination of vessel traffic system levels which will include VHF/FM communications, radar surveillance, a Traffic Separation System, and a Vessel Movement Reporting System. Radar and communication sites, and a vessel traffic operations center will be constructed. There will be adverse impact from construction disruption. (108 pages)
COMMENTS MADE BY: DOC COE DOD HEW DOI DOT EPA
state and local agencies
(ELR ORDER # 50191)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF THE
ADMINISTRATOR

AVAILABILITY OF ENVIRONMENTAL PROTECTION
AGENCY COMMENTS ON ENVIRONMENTAL
IMPACT STATEMENTS AND OTHER
ACTIONS IMPACTING THE ENVIRONMENT

Pursuant to the requirements of section 102(2) (C) of the National Environmental Policy Act of 1969, and section 309 of the Clean Air Act, as amended, the Environmental Protection Agency (EPA) has reviewed and commented in writing on Federal agency actions impacting the environment contained in the following appendices during the period of February 1, 1975 and February 28, 1975.

Appendix I contains a listing of draft environmental impact statements reviewed and commented upon in writing during this review period. The list includes the Federal agency responsible for the statement, the number and title of the statement, the classification of the nature of EPA's comments as set forth in Appendix V.

Appendix II contains the definitions of the classifications of EPA's comments on the draft environmental impact statements as set forth in Appendix I.

Appendix III contains a listing of final environmental impact statements reviewed and commented upon in writing during this reviewing period. The listing will include the Federal agency responsible for the statement, the number and title of the statement, a summary of the nature of EPA's comments, and the EPA source for copies of the comments as set forth in Appendix V.

Appendix IV contains a listing of proposed Federal agency regulations, legislation proposed by Federal agencies, and any other proposed actions reviewed and commented upon in writing pursuant to section 309(a) of the Clean Air Act, as amended, during the referenced reviewing period. The listing includes the Federal agency responsible for the proposed action, the title of the action, a summary of the nature of EPA's comments, and the source for copies of the comments as set forth in Appendix V.

Appendix V contains a listing of the names and addresses of the sources for copies of EPA comments listed in Appendices I, III, and IV.

Copies of the EPA Manual setting forth the policies and procedures for EPA's review of agency actions may be obtained by writing the Public Inquiries Branch, Office of Public Affairs, Environmental Protection Agency, Washington, D.C. 20460. Copies of the draft and final environmental impact statements referenced herein are available from the originating Federal department or agency.

Sheldon Meyers

Sheldon Meyers
Director
Office of Federal Activities

Dated: 20 MAR 1975

## APPENDIX I

### DRAFT ENVIRONMENTAL IMPACT STATEMENTS FOR WHICH COMMENTS WERE ISSUED BETWEEN FEBRUARY 1, 1975 AND FEBRUARY 28, 1975

| IDENTIFYING NUMBER | TITLE | GENERAL NATURE OF COMMENTS | SOURCE FOR COPIES OF COMMENTS |
|---|---|---|---|
| DEPARTMENT OF AGRICULTURE | | | |
| LD-ASC-A86080-00: | LEGISLATION FOR A NEW RICE ACT OF 1974 | LO-2 | A |
| D-AFS-D82001-VA: | FALL CANKERWORM SUPPRESSION PROJECT, PRINCE WILLIAM COUNTY, VIRGINIA | LO-1 | D |
| D-AFS-E61009-FL: | LONGLEAF ISLANDS UNIT, OCALA NATIONAL FOREST, LAKE GEORGE RANGER DISTRICT, MARION AND PUTNAM COUNTIES, FLORIDA | LO-1 | E |
| D-AFS-J65009-CO: | TIMBER MANAGEMENT PLAN FOR THE ARAPAHO NATIONAL FOREST, COLORADO | ER-2 | I |
| D-AFS-J65010-CO: | TIMBER MANAGEMENT PLAN FOR GUNNISON NATIONAL FOREST, COLORADO | ER-2 | I |
| D-AFS-J65011-CO: | TIMBER MANAGEMENT PLAN FOR THE RIO GRANDE NATIONAL FOREST, COLORADO | ER-2 | I |
| D-AFS-J65013-CO: | TIMBER MANAGEMENT PLAN FOR THE GRAND MESA UNCOMPAHGRE NATIONAL FOREST, COLORADO | ER-2 | I |
| D-AFS-K65005-CA: | MODOC NATIONAL FOREST TIMBER MANAGEMENT PLAN, MODOC NATIONAL FOREST, CALIFORNIA | LO-2 | J |
| D-AFS-I61014-ID: | BEAR VALLEY PLANNING UNIT, CHALLIS AND BOISE NATIONAL FORESTS, IDAHO | LO-2 | K |
| D-AFS-I61015-ID: | PROPOSED LAND USE PLAN, WARREN PLANNING UNIT, PAYETTE NATIONAL FOREST, IDAHO | LO-2 | K |
| D-REA-J07000-CO: | WRAY STATION, THREE 67 MW COMBUSTION TURBINES, YUMA COUNTY, COLORADO | ER-2 | I |
| D-SCS-D36007-WV: | ELK CREEK WATERSHED, WATERSHED PROTECTION AND FLOOD PREVENTION, WEST VIRGINIA | LO-1 | D |
| D-SCS-D36008-VA: | NIBBS CREEK WATERSHED PROJECT, AMELIA COUNTY, VIRGINIA | ER-2 | D |
| D-SCS-E36011-MS: | OKATOMA CREEK WATERSHED PROTECTION, FLOOD PREVENTION, COVINGTON, FORRES, JONES, SIMPSON, AND SMITH COUNTIES, MISSISSIPPI | ER-2 | E |

| IDENTIFYING NUMBER | TITLE | GENERAL NATURE OF COMMENTS | SOURCE FOR COPIES OF COMMENTS |
|---|---|---|---|
| D-SCS-E36012-NC: | COUNTRY LINE CREEK WATERSHED, ROCKINGHAM AND CASWELL COUNTIES, NORTH CAROLINA | LO-1 | E |
| D-SCS-F36012-MI: | WEST UPPER MAPLE RIVER, CLINTON AND GRATIOT COUNTIES, MICHIGAN | ER-2 | F |
| D-SCS-G36009-LA: | BAYOU PLAQUEMINE BRULE WATERSHED, ST. LANDRY AND ACADIA PARISHES, LOUISIANA | LO-1 | G |
| D-SCS-G36010-LA: | WEST FORK OF BAYOU LACASSINE, JEFFERSON DAVIS AND CALCASIEU PARISHES, LOUISIANA | LO-1 | G |
| D-SCS-H36005-NB: | BLACKWOOD CREEK WATERSHED, HAYES, HITCHCOCK AND RED WILLOW COUNTIES, NEBRASKA | LO-1 | H |
| D-SCS-H36007-KS: | SAND CREEK WATERSHED, HARVEY AND MARION COUNTIES, KANSAS | ER-2 | H |
| D-SCS-J36003-MT: | WATERSHED FOR THE CITY OF BROWNING, MONTANA | LO-2 | I |
| D-SCS-K36007-CA: | LOWER PINE CREEK WATERSHED PROJECT, CONTRA COSTA COUNTY, CALIFORNIA | ER-2 | J |
| D-SCS-L36010-OR: | ROCK CREEK WATERSHED PROJECT, GILLIAM AND MORROW COUNTIES, OREGON | LO-1 | K |
| CORPS OF ENGINEERS | | | |
| D-COE-C32002-NY: | CATTARAUGUS CREEK HARBOR, NEW YORK | LO-2 | C |
| D-COE-E32004-GA: | OPERATION AND MAINTENANCE, SAVANNAH HARBOR, CHATHAM COUNTY, GEORGIA | ER-2 | E |
| D-COE-F32010-WI: | ASHLAND HARBOR, OPERATIONS AND MAINTENANCE ACTIVITIES, ASHLAND COUNTY, WISCONSIN | ER-2 | F |
| D-COE-F32011-MI: | ONTONAGON HARBOR OPERATION AND MAINTENANCE, ONTONAGON COUNTY, MICHIGAN | LO-2 | F |
| D-COE-F32012-MI: | MAINTENANCE DREDGING OF UNPOLLUTED HARBORS IN MICHIGAN | ER-2 | F |
| D-COE-F32013-IL: | DUPLICATE LOCKS GDM PHASE 1, ILLINOIS WATERWAY, ILLINOIS | ER-2 | F |
| D-COE-F32015-MI: | OPERATION AND MAINTENANCE ACTIVITIES AND HARBOR RELATED SHORELINE EROSION, MARQUETTE AND PRESQUE ISLE, MICHIGAN | 3 | F |
| D-COE-F34002-MN: | FLOOD CONTROL TWIN VALLEY LAKE, WILD RICE RIVER, TWIN VALLEY, MINNESOTA | ER-2 | F |
| D-COE-F35007-MI: | SAGINAW RIVER DREDGE DISPOSAL PROJECT AT SAGINAW BAY, MICHIGAN | LO-2 | F |

| IDENTIFYING NUMBER | TITLE | GENERAL NATURE OF COMMENTS | SOURCE FOR COPIES OF COMMENTS |
|---|---|---|---|
| D-COE-F36006-MN: | FLOOD CONTROL AT CHASKA, MINNESOTA | ER-2 | F |
| D-COE-F36013-IL: | EAST MOLINE ILLINOIS FLOOD PROTECTION SYSTEM, ILLINOIS | ER-2 | F |
| D-COE-F36014-MN: | UPPER AND LOWER RED LAKES, OPERATION AND MAINTENANCE ACTIVITIES, MINNESOTA | LO-2 | F |
| D-COE-G32011-LA: | BAYOU BARATARIA, BAYOU PEROT, LOUISIANA | LO-2 | G |
| D-COE-G34005-TX: | MAINTENANCE DREDGING, CEDAR BAYOU CHANNEL, TEXAS | LO-2 | G |
| D-COE-H34002-MO: | CLARENCE CANNON DAM AND RESERVOIR, SALT RIVER, MISSOURI | ER-2 | H |
| D-COE-H36006-IA: | MISSOURI RIVER LEVEE SYSTEM UNIT L-611-614, MILLS AND POTTAWAMIE COUNTIES, IOWA | LO-2 | H |
| D-COE-J36002-ND: | FLOOD CONTROL AT GRAFTON, PARK RIVER, NORTH DAKOTA | ER-2 | I |
| D-COE-K35002-CA: | MARINERS ISLAND, REGULATORY PERMIT APPLICATION, SAN MATEO COUNTY, CALIFORNIA | LO-1 | J |
| D-COE-L36012-WA: | LOWER MONUMENTAL LOCK AND DAM, SNAKE RIVER, WASHINGTON | LO-1 | K |
| D-COE-L36013-OR: | OPERATION AND MAINTENANCE OF JETTIES AND DREDGING PROJECTS IN TILLAMOOK ESTUARY, OREGON | LO-2 | K |
| DEPARTMENT OF DEFENSE | | | |
| D-UAF-D10001-VA: | F-15 BEDDOWN, LANGLEY AIR FORCE BASE, VIRGINIA | ER-1 | D |
| D-USA-K11006-HI: | MILITARY FAMILY HOUSING PROJECT, ALIAMANU MILITARY RESERVATION, OAHU, HAWAII | ER-2 | J |
| FEDERAL POWER COMMISSION | | | |
| D-FPC-K03001-CA: | SANTA BARBARA CHANNEL PIPELINE PROJECT, EXXON, SANTA BARBARA COUNTY, CALIFORNIA | ER-2 | J |

| IDENTIFYING NUMBER | TITLE | GENERAL NATURE OF COMMENTS | SOURCE FOR COPIES OF COMMENTS |
|---|---|---|---|
| **GENERAL SERVICES ADMINISTRATION** | | | |
| D-GSA-K60002-CA: | DISPOSAL OF HILL 733, MARINE CORPS AIR STATION, EL TORO, ORANGE COUNTY, CALIFORNIA | LO-1 | J |
| D-GSA-L81001-AK: | FEDERAL BUILDING AND PARKING FACILITY, FAIRBANKS, ALASKA | ER-2 | K |
| D-GSA-L81003-AK: | FEDERAL BUILDING, COURTHOUSE AND PARKING FACILITY, ANCHORAGE, ALASKA | ER-2 | K |
| **DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT** | | | |
| D-HUD-B89003-MA: | URBAN RENEWAL PROJECT, CENTRAL BUSINESS DISTRICT, NEWBURYPORT, MASSACHUSETTS | LO-2 | B |
| D-HUD-C85001-NY: | NIAGARA FALLS RAINBOW CENTER, URBAN RENEWAL PROJECT I, NIAGARA COUNTY, NEW YORK | 3 | C |
| **DEPARTMENT OF THE INTERIOR** | | | |
| D-BLM-A02066-00: | 1975 OUTER CONTINENTAL SHELF, OCS, OIL AND GAS LEASE SALE NO. 38, OFFSHORE CENTRAL GULF, TEXAS, LOUISIANA, MISSISSIPPI, AND ALABAMA | ER-2 | A |
| D-IBR-G07002-NM: | WESTERN GASIFICATION COMPANY, WESCO, COAL GASIFICATION PROJECT AND EXPANSION OF NAVAJO MINE, NEW MEXICO | ER-1 | G |
| **NATIONAL SCIENCE FOUNDATION** | | | |
| D-NSF-A84021-00: | ROSS ICE SHELF PROJECT, RISP, US ANTARCTIC RESEARCH PROGRAM | ER-2 | A |
| **DEPARTMENT OF TRANSPORTATION** | | | |
| D-CGD-K50001-CA: | DUMBARTON BRIDGE REPLACEMENT PROJECT, ALAMEDA, SANTA CLARA COUNTY, CALIFORNIA | ER-2 | J |
| DS-FHW-A41732-IA: | GUTHRIE AVENUE VIADUCT, DES MOINES, POLK COUNTY, IOWA | LO-2 | H |
| D-FHW-C40009-NY: | ROUTE 60, CITY OF JAMESTOWN, NORTH-SOUTH ARTERIAL, SOUTH CITY LINE TO SOUTH MAIN AND ALLEN STREETS, NEW YORK | ER-2 | C |

| IDENTIFYING NUMBER | TITLE | GENERAL NATURE OF COMMENTS | SOURCE FOR COPIES OF COMMENTS |
|---|---|---|---|
| D-FHW-D40008-MD: | CITY BOULEVARD FROM EUTAW STREET TO RUSSELL STREET, BALTIMORE, MARYLAND | ER-2 | D |
| D-FHW-D40009-MD: | CITY BOULEVARD RING, RUSSELL STREET TO BATTERY AVENUE, I-395, BALTIMORE, MARYLAND | ER-2 | D |
| D-FHW-E40026-KY: | HIGHWAY IMPROVEMENT, PORTION OF KY-54, OWENSBORO-LEITHFIELD ROAD, DAVIESS COUNTY, KENTUCKY | LO-2 | E |
| D-FHW-F40023-IN: | RELOCATION OF IN-912 FROM COLUMBUS DRIVE IN EAST CHICAGO TO THE INDIANA TOLL ROAD SOUTH OF 129TH STREET, HAMMOND, LAKE COUNTY, INDIANA | ER-2 | F |
| D-FHW-G40022-TX: | METROPOLITAN HIGHWAY 47, FIELDER ROAD-ABRAM STREET-DIVISION STREET, US 80, TRAFFIC INTERCHANGES, TARRANT COUNTY, TEXAS | LO-2 | G |
| D-FHW-G40023-TX: | TX-6, MARLIN BYPASS FROM 3 MILES SOUTH TO 2 MILES NORTH OF MARLIN, TEXAS | LO-2 | G |
| D-FHW-I40014-ID: | PROJECT U-4114(25) MOSCOW COUPLET, MOSCOW, LATAH COUNTY, IDAHO | LO-1 | K |
| D-FHW-I40016-AK: | TAYLOR HIGHWAY, TETLIN JUNCTION TO CANADIAN BORDER, ALASKA | LO-1 | K |
| VETERANS ADMINISTRATION | | | |
| D-VAD-I81002-ID: | NEW CLINICAL SUPPORT FACILITY AND SEISMIC CORRECTIONS FOR VARIOUS BUILDINGS, VETERANS ADMINISTRATION HOSPITAL, BOISE, IDAHO | LO-1 | K |
| WATER RESOURCES COUNCIL | | | |
| D-WRC-F39001-MI: | GREAT LAKES BASIN FRAMEWORK STUDY, MICHIGAN | LO-2 | F |

## APPENDIX II

## DEFINITIONS OF CODES FOR THE GENERAL NATURE OF EPA COMMENTS

ENVIRONMENTAL IMPACT OF THE ACTION

LO-Lack of Objection

EPA has no objections to the proposed action as described in the draft impact statement; or suggests only minor changes in the proposed action.

ER--Environmental Reservations

EPA has reservations concerning the environmental effects of certain aspects of the proposed action. EPA believes that further study of suggested alternatives or modifications is required and has asked the originating Federal agency to reassess these impacts.

EU--Environmentally Unsatisfactory

EPA believes that the proposed action is unsatisfactory because of its potentially harmful effect on the environment. Furthermore, the Agency believes that the potential safeguards which might be utilized may not adequately protect the environment from hazards arising from hazards arising from this action. The Agency recommends that alternatives to the action be analyzed further (including the possibility of no action at all).

ADEQUACY OF THE IMPACT STATEMENT

Category 1--Adequate

The draft impact statement adequately sets forth the environmental impact of the proposed project or action as well as alternatives reasonably available to the project or action.

Category 2--Insufficient Information

EPA believes that the draft impact statement does not contain sufficient information to assess fully the environmental impact of the proposed project or

action. However, from the information submitted, the Agency is able to make a preliminary determination of the impact on the environment. EPA has requested that the originator provide the information that was not included in the draft statement.

Category 3--Inadequate

EPA believes that the draft impact statement does not adequately assess the environmental impact of the proposed project or action, or that the statement inadequately analyzes reasonable available alternatives. The Agency has requested more information and analysis concerning the potential environmental hazards and that substantial revision be made to the impact statement.

APPENDIX II

FINAL ENVIRONMENTAL IMPACT STATEMENTS FOR WHICH
COMMENTS WERE ISSUED BETWEEN
FEBRUARY 1, 1975 AND FEBRUARY 28, 1975

| IDENTIFYING NUMBER | TITLE | GENERAL NATURE OF COMMENTS | SOURCE FOR COPIES OF COMMENTS |
|---|---|---|---|
| DEPARTMENT OF AGRICULTURE | | | |
| F-REA-J07000-CO: | TRI-STATE GENERATING AND TRANSMISSION ASSOCIATION FOR COMBINED TURBINE GENERATING STATION AT WRAY, COLORADO | EPA's ANALYSIS INDICATES THAT LITTLE SIGNIFICANT IMPACT OF THE AIR QUALITY STANDARDS WOULD OCCUR EXCEPT THE POWER PLANT COULD NOT BE LOCATED IN A CLASS ONE AREA FOR SIGNIFICANT DETERIORATION. HOWEVER, EPA RAISED THE BASIC QUESTION OF UTILIZING GAS AND FUEL OIL FOR A NEWLY CONSTRUCTED POWERPLANT IN VIEW OF THE CONGRESSIONAL MANDATE OF THE ENVIRONMENTAL COORDINATION ACT. | I |
| F-SCS-A36239-WI: | FIRST CAPITOL WATERSHED, LAFAYETTE COUNTY, WISCONSIN | EPA HAD NO OBJECTIONS TO THE PROPOSED PROJECT. | F |
| CORPS OF ENGINEERS | | | |
| F-COE-A32482-FL: | FERNADINA HARBOR, MAINTENANCE-DREDGING, FLORIDA | GENERALLY, EPA HAD NO OBJECTIONS. HOWEVER, MORE INFORMATION IS NEEDED RELATIVE TO DISPOSAL. | E |
| F-COE-A35106-SC: | COLLETON RIVER AT VICTORIA BLUFF, PERMIT TO DREDGE, CONSTRUCT PIER AND DOLPHINS, BEAUFORT COUNTY, | GENERALLY, EPA HAD NO OBJECTIONS. HOWEVER, CLARIFICATION IS NEEDED ON (1) THE VALIDITY OF NOT SELECTING THE BLOUNT ISLAND SITE, AND (2) DETAILS OF APPLICATION OF URETHANE | E |

| IDENTIFYING NUMBER | TITLE | GENERAL NATURE OF COMMENTS | SOURCE FOR COPIES OF COMMENTS |
|---|---|---|---|
| F-COE-A39053-00: | OPERATION AND MAINTENANCE OF BALTIMORE HARBOR AND ASSOCIATE CHANNELS, MARYLAND AND VIRGINIA | EPA EXPRESSED ENVIRONMENTAL RESERVATIONS ON THE PROPOSED PROJECT. EPA ANALYSES REVEAL THAT MATERIAL TO BE DREDGED CONTAINS CONTAMINANTS THAT WOULD LEAD POSSIBLY TO WATER QUALITY DEGRADATION AND INJURY TO SHELLFISH SHOULD THE KENT ISLAND DISPOSAL AREA BE UTILIZED. FUTHERMORE OPEN WATER DISPOSAL ON A CONTINUOUS BASIS IN THE CHESAPEAKE BAY IS NOT SATISFACTORY. GIVEN THE EMERGENCY SITUATION AND THE NATURE OF THE SPOIL AT THE BREWERTON AND CRAIGHILL ANGLES AND CUTOFFS, EPA BELIEVES MATERIAL REMOVAL CAN OCCUR IF THE ACTIVITY IS CLOSELY MONITORED. SHOULD MONITORING REVEAL INJURY TO PRODUCTIVE SHELLFISH BEDS, EPA WOULD OPPOSE CONTINUATION OF DREDGING OPERATIONS. | D |
| DEPARTMENT OF COMMERCE | | | |
| F-DOC-C80001-NY: | S&S CORRUGATED PAPER MACHINERY COMPANY, NEW YORK | EPA GENERALLY HAD NO OBJECTIONS TO THE PROPOSED PROJECT. | C |
| DEPARTMENT OF THE INTERIOR | | | |
| F-BLM-A08015-AZ: | TUCSON GAS AND ELECTRIC, EL SOL TO VAIL, 345 KV TRANSMISSION LINE, ARIZONA | EPA HAD NO OBJECTIONS TO THE PROPOSED PROJECT. | J |
| F-BLM-A60064-NV: | SALE OF FORT MOHAVE LANDS TO THE STATE OF NEVADA | EPA HAD NO OBJECTIONS TO THE PROPOSED PROJECT. | J |
| DEPARTMENT OF TRANSPORTATION | | | |
| F-FAA-A51828-WV: | ROANE COUNTY AIRPORT, SPENCER, WEST VIRGINIA | EPA GENERALLY HAD NO OBJECTIONS TO THE PROJECT AS PROPOSED. | D |
| F-FAA-A51843-VA: | CHESAPEAKE MUNICIPAL AIRPORT, CHESAPEAKE, VIRGINIA | EPA GENERALLY HAD NO OBJECTIONS TO THE PROJECT AS PROPOSED. | D |
| F-FAA-A51846-MN: | NORTHEAST-SOUTHWEST RUNWAY CONSTRUCTION, MARSHALL MUNICIPAL AIRPORT, MARSHALL, MINNESOTA | EPA GENERALLY HAD NO OBJECTIONS TO THE PROJECT AS PROPOSED. | F |

| IDENTIFYING NUMBER | TITLE | GENERAL NATURE OF COMMENTS | SOURCE FOR COPIES OF COMMENTS |
|---|---|---|---|
| F-FHW-A41345-WI: | WI-59, MILWAUKEE AND WAUKESHA COUNTIES, WISCONSIN | EPA GENERALLY HAD NO OBJECTIONS TO THE PROPOSED PROJECT. HOWEVER, EPA RECOMMENDED THAT FURTHER CONSIDERATION BE GIVEN TO MITIGATING NOISE. | F |
| F-FHW-A41740-CO: | FOOTHILLS PARKWAY, CO-157, BOULDER BYPASS, BOULDER COUNTY, COLORADO | EPA'S REVIEW INDICATED THAT WHILE THERE HAS BEEN CERTAIN BENEFICIAL ATTENUATIONS IN THE PROPOSED PROJECT, THERE REMAINS SERIOUS ENVIRONMENTAL PROBLEMS, NAMELY, NOISE IMPACTS WHICH EXCEED STANDARDS AND POTENTIAL AIR QUALITY STANDARD VIOLATIONS. EPA REQUESTED A COMPLETE JUSTIFICATION FOR EXCEPTIONS TO NOISE STANDARDS. EPA ALSO CITED THE LACK OF SUFFICIENT AMBIENT DATA IN AN EXPECTED PROBLEM AREA, BOULDER, AND FURTHER ANALYSIS OF THE PROBLEM. THE EXTENT OF THE PROBLEM CANNOT BE ADEQUATELY ASSESSED WITHOUT BETTER CHARACTERIZATION OF AMBIENT CONDITIONS. | I |
| F-FHW-A41824-FL: | SHORELINE PARKWAY FROM BARRANCAS STREET TO PENSACOLA BAY BRIDGE ON US 98, PENSACOLA, ESCAMBIA COUNTY, FLORIDA | EPA HAD NO OBJECTIONS TO THE PROPOSED PROJECT. | E |
| F-FHW-A41873-WV: | APPALACHIAN CORRIDOR "L", US 19, PROJECT APD-482-26) NICHOLAS COUNTY, WEST VIRGINIA | EPA HAD NO OBJECTIONS TO THE PROPOSED PROJECT. | D |
| F-FHW-A42349-WI: | MONROE BYPASS, WI-11, GREEN COUNTY, WISCONSIN | EPA GENERALLY HAD NO OBJECTIONS TO THE PROPOSED PROJECT. HOWEVER, EPA RECOMMENDED THE INCLUSION OF A NOISE BARRIER ALONG A PORTION OF THE AREA WHERE RESIDENTIAL DEVELOPMENT WILL OCCUR. | F |
| GENERAL SERVICES ADMINISTRATION | | | |
| F-GSA-A80014-MD: | SOCIAL SECURITY ADMINISTRATION HEADQUARTERS EXPANSION, BALTIMORE, BALTIMORE COUNTY, MARYLAND | EPA GENERALLY HAD NO OBJECTIONS TO THE PROPOSED PROJECT. EPA NOTED, HOWEVER, THE IMPORTANCE TO AIR QUALITY OF CONTINUING MASS TRANSIT INCENTIVES FOR EMPLOYEES AS WELL AS ANALYSIS OF PARKING STRUCTURE DESIGN TO INSURE AGAINST EXCESSIVE MICROSCALE CARBON MONOXIDE CONCENTRATIONS. | D |

| IDENTIFYING NUMBER | TITLE | GENERAL NATURE OF COMMENTS | SOURCE FOR COPIES OF COMMENTS |
|---|---|---|---|
| ATOMIC ENERGY COMMISSION | | | |
| F-AEC-A06113-NJ: | OYSTER CREEK NUCLEAR GENERATING STATION, NEW JERSEY | EPA INDICATED THAT THE FINAL STATEMENT HAD SATISFIED THE MAJOR COMMENTS MADE ON THE DRAFT STATEMENT AND COMMENDED THE AEC ON ITS EFFORTS. HOWEVER, THE DATA SUBMITTED BY THE JERSEY CENTRAL POWER AND LIGHT COMPANY ARE INADEQUATE CONCERNING IMPINGEMENT AND ENTRAINMENT LOSSES. WHAT DATA ARE PRESENTED INDICATE AN UNACCEPTABLE LEVEL OF DAMAGE. THE PLANT DISCHARGE HAS ALTERED THE TEMPERATURE AND SALINITY REGIME OF OYSTER CREEK, FORKED RIVER, AND BARNEGAT BAY LEADING TO A PHENOMENAL INCREASE IN SHIPWORMS. REVERSE THERMAL SHOCK AND ENTRAINMENT AND IMPINGEMENT HAS LEAD TO UNACCEPTABLE FISH KILLS. THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT (NPDES--SECTION 402 OF THE FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972) ISSUED BY EPA ON JANUARY 17, 1975, REQUIRES THE UTILITY TO ABATE THE THERMAL POLLUTION, SUCH AS BY INSTALLING A CLOSED-CYCLE COOLING SYSTEM. EPA RECOMMENDED THAT THE AEC FULL-TERM OPERATING LICENSE BE CONDITIONED TO REQUIRE THE UTILITY TO MEET ALL APPLICABLE NPDES REQUIREMENTS. | A |

APPENDIX IV

REGULATIONS, LEGISLATION AND OTHER FEDERAL AGENCY ACTIONS FOR WHICH COMMENTS WERE ISSUED BETWEEN FEBRUARY 1, 1975 AND FEBRUARY 28, 1975

| IDENTIFYING NUMBER | TITLE | GENERAL NATURE OF COMMENTS | SOURCE FOR COPIES OF COMMENTS |
|---|---|---|---|
| DEPARTMENT OF DEFENSE | | | |
| R-COE-A86081-00: | 33 CFR PART 209, PUBLIC HEARINGS | EPA GENERALLY HAD NO OBJECTIONS TO THE PROPOSED REGULATIONS. EPA RECOMMENDED THAT THE DEFINITION OF "FEDERAL PROJECT" BE MADE CONSISTENT WITH THE DEFINITION GIVEN IN 33 CFR PART 209.145 (D)(5). EPA ALSO RECOMMENDED THAT THE "PUBLIC INTEREST" CRITERION SHOULD BE INCORPORATED INTO THE CRITERIA FOR DETERMINING THE NEED FOR A PUBLIC HEARING UNDER SECTION 103 OF THE MARINE PROTECTION RESEARCH AND SANCTUARIES ACT AND SECTION 404 OF THE FEDERAL WATER POLLUTION CONTROL ACT AS IT CURRENTLY USED IN CONNECTION WITH SECTION 10 PERMITS. EVERY INDIVIDUAL SHOULD BE GIVEN THE OPPORTUNITY TO SUBSTANTIATE OBJECTIONS FOUND TO BE INSUBSTANTIAL PRIOR TO DENIAL OF HIS REQUEST FOR A PUBLIC HEARING. | A |
| DEPARTMENT OF THE INTERIOR | | | |
| R-BLM-A60103-00: | 43 CFR PART 2020, SPECIAL LAND USE PERMITS, GENERAL PRINCIPLES AND PROCEDURES | EPA RECOMMENDED THE ESTABLISHMENT OF CRITERIA TO BE USED IN THE DETERMINATION OF SIGNIFICANT IMPACTS AND THE IDENTIFICATION OF THESE CRITERIA WITHIN THE REGULATIONS. | A |

| IDENTIFYING NUMBER | TITLE | GENERAL NATURE OF COMMENTS | SOURCE FOR COPIES OF COMMENTS |
|---|---|---|---|
| U. S. GEOLOGICAL SURVEY | | | |
| R-IGS-A02070-00: | NOTICE, OCS ORDER FOR OIL AND GAS WELL COMPLETION AND WORKOVER PROCEDURES, GULF OF MEXICO | EPA EXPRESSED CONCERNS RELATING TO THE PROPER DISPOSAL OF FLUIDS AND OTHER WASTE MATERIALS WHICH POSES A SUBSTANTIAL THREAT TO THE MARINE ENVIRONMENT, AND THE PRACTICE OF MULTIPLE OPERATIONS ON PLATFORMS. | A |

## APPENDIX V

## SOURCE FOR COPIES OF EPA COMMENTS

A. Director, Office of Public Affairs
Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460

B. Director of Public Affairs, Region I
Environmental Protection Agency
John F. Kennedy Federal Building
Boston, Massachusetts 02203

C. Director of Public Affairs, Region II
Environmental Protection Agency
26 Federal Plaza
New York, New York 10007

D. Director of Public Affairs, Region III
Environmental Protection Agency
Curtis Building, 6th and Walnut Streets
Philadelphia, Pennsylvania 19106

E. Director of Public Affairs, Region IV
Environmental Protection Agency
1421 Peachtree Street, NE
Atlanta, Georgia 30309

F. Director of Public Affairs, Region V
Environmental Protection Agency
230 South Dearborn Street
Chicago, Illinois 60604

G. Director of Public Affairs, Region VI
Environmental Protection Agency
1600 Patterson Street
Dallas, Texas 75201

H. Director of Public Affairs, Region VII
Environmental Protection Agency
1735 Baltimore Street
Kansas City, Missouri 64108

I. Director of Public Affairs, Region VIII
Environmental Protection Agency
1860 Lincoln Street
Denver, Colorado 80203

J. Director of Public Affairs, Region IX
Environmental Protection Agency
100 California Street
San Francisco, California 94111

K. Director of Public Affairs, Region X
Environmental Protection Agency
1200 Sixth Avenue
Seattle, Washington 98101

Summary of 102 Statements Filed with the CEQ Through 02/28/75 (By Agency)

| Agency | Draft 102's for actions on which no final 102's have yet been received | Final 102's on legislation and actions | Total actions on which draft or final statements have been received |
|---|---|---|---|
| Agriculture, Department of | 184 | 458 | 642 |
| Appalachian Regional Commission | 1 | 0 | 1 |
| Architect of the Capitol | 1 | 0 | 1 |
| Atomic Energy Commission | 42 | 144 | 186 |
| Canal Zone Government | 0 | 1 | 1 |
| Civil Aeronautics Board | 0 | 1 | 1 |
| Commerce, Department of | 13 | 36 | 49 |
| Defense, Department of | 6 | 6 | 12 |
| Air Force | 10 | 17 | 27 |
| Army | 2 | 18 | 20 |
| Army Corps of Engineers | 552 | 682 | 1234 |
| Navy | 17 | 24 | 41 |
| Delaware River Basin Commission | 2 | 8 | 10 |
| Energy Policy Office | 0 | 1 | 1 |
| Energy Resources Development Adm. | 1 | 0 | 1 |
| Environmental Protection Agency | 18 | 58 | 76 |
| Federal Energy Administration | 1 | 0 | 1 |
| Federal Maritime Commission | 2 | 0 | 2 |
| Federal Power Commission | 84 | 30 | 114 |
| General Services Administration | 28 | 69 | 97 |
| HEW, Department of | 2 | 13 | 15 |
| HUD, Department of | 26 | 79 | 105 |
| Interior, Department of | 175 | 252 | 427 |
| International Boundary and Water C Commission -- U.S. and Mexico | 1 | 7 | 8 |
| Interstate Commerce Commission | 8 | 4 | 12 |
| Justice, Department of | 2 | 3 | 5 |
| Labor, Department of | 1 | 2 | 3 |
| National Aeronautics and Space Adm. | 9 | 22 | 31 |
| National Capital Planning Comm. | 5 | 8 | 13 |
| National Science Foundation | 1 | 5 | 6 |
| New England River Basins Commission | 1 | 0 | 1 |
| Nuclear Regulatory Commission | 3 | 1 | 4 |
| Office of Science and Technology | 0 | 1 | 1 |
| Pacific Northwest River Basins Comm. | 3 | 0 | 3 |
| Pennsylvania Ave. Devel. Corp. | 0 | 1 | 1 |
| Souris-Red-Rainy River Basins Comm. | 1 | 0 | 1 |
| State Department | 3 | 4 | 7 |
| Tennessee Valley Authority | 6 | 24 | 30 |
| Transportation, Department of | 970 | 1871 | 2841 |
| Treasury, Department of | 4 | 7 | 11 |
| Upper Mississippi River Basin Comm. | 1 | 0 | 1 |
| U.S. Postal Service | 2 | 0 | 2 |
| U.S. Water Resources Council | 6 | 9 | 15 |
| Veterans Administration | 2 | 6 | 8 |
| TOTALS | 2196 | 3872 | 6068 |

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## 102 Monitor

The 102 Monitor is the monthly publication of the Council on Environmental Quality. In addition to its listing of environmental impact statements which have been filed with the Council under the provisions of the National Environmental Policy Act (NEPA), the Monitor contains a list of EPA's comments, filed under the provisions of section 309 of the Clean Air Act, as amended; items of current concern in NEPA case law; and information on the environmental studies of the Council.

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